

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3333 of 2018

Arising Out of PS. Case No.-18 Year-2018 Thana- GHANSHYAMPUR District- Darbhanga

1. Maheshwar Yadav, Son of Late Kari Yadav,
2. Ram Sunder Yadav, Son of Late Kari Yadav,
3. Ramakant Yadav @ Ram Kant Yadav, Son of Late Kari Yadav,
All resident of Village- Mangura (Gopalpur), P.S.
Ghanshyampur, District- Darbhanga.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sameer Ranjan

For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 11-10-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 26.07.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge SC/ST (POA) Act, Darbhanga in A.B.P. No.737 of 2018, arising out of Ghanshyampur Police Station Case No.18 of 2018 registered under Sections 143, 149, 447, 341, 323, 307, 504, 506 of the Indian Penal Code and Section 3 (i)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

There is property dispute between the parties, which would be evident from *Annexure 3*.



In the aforesaid background, general and omnibus allegation is there of commission of abuse, assault and attempt to outrage the modesty of the informant and others. The appellants have stated on oath that they have got no criminal antecedent.

Considering the background of allegation and general and omnibus nature of allegation, let the appellants, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with the aforesaid case, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellants shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the appellants.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

abhishek/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	



