

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.675 of 2017**

Arising Out of PS.Case No. -219 Year- 2016 Thana -RAJAULI District- NAWADA

- =====
1. Chando Yadav son of late Rameshwar Yadav,
  2. Shakuntala Devi wife of Chando Yadav,
  3. Manoj Yadav son of Chando Yadav,
  4. Munni Devi wife of Manoj Yadav
- All are resident of village Maliyatari, P.S. Rajauli, District- Nawada

.... .... Appellant/s

Versus

The State of Bihar

.... .... Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Birendra Kumar, Advocate

For the Respondent/s : Mr. Binay Krishna, SPP

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

5      04-01-2018                      This is an appeal under Section 14(A) of the Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail by the learned Additional Sessions Judge-I, Nawada, in connection with Rajauli Police Station Case No.219 of 2016 registered under Sections 341/323/379/504/506/34 of the Indian Penal Code and Section 3(i) (x) of the Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act, 1989.

There is land dispute between the parties for referred land bearing Plot No.4682 under Khata No.757. The said land was allegedly purchased by appellant No.2 Shakuntala Devi from Surendra Ram and others. For the aforesaid dispute the occurrence of abuse and assault allegedly took place at the field.



Submission is that even if allegation is assumed to be correct, the appellants have no intention to humiliate a member of the schedule caste nor the occurrence allegedly took place within public view.

Considering the aforesaid facts, 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/- (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 the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellants shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellants.

Accordingly, the appeal stands allowed.

**(Birendra Kumar, J)**

Mkr./-

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