

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3417 of 2017

Arising Out of PS.Case No. -163 Year- 2017 Thana -OBRA District- AURANGABAD

- =====
1. Upendra Yadav, S/o Late Ramratan Yadav,
 2. Ranjeet Yadav,
 3. Sanjeet Kumar S/o Both Upendra Yadav, All are R/o Village- Chhotaki Kadiyahi, P.S.- Obra, District- Aurangabad.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Ms. Malti Kumari, Advocate

For the Respondent/s : Smt Usha Kumari No-1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 04-01-2018 Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Aurangabad, in connection with Obra Police Station Case No.163 of 2017 registered under Sections 341/323/325/307/504/34 of the Indian Penal Code and Section 3(1)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Appellant Ranjeet Yadav lodged Obra P.S. Case No.162 of 2017 alleging therein that Mukesh Bhuiyan son of the informant of this case was seen committing murder of the sister of



Ranjeet Yadav in the field side and it was suspected that first rape was committed against the victim and subsequently murder was committed. Thereafter, this F.I.R. has been lodged with allegation that due to the aforesaid suspicion of commission of murder by Mukesh Bhuiyan the appellant assaulted to Mukesh Bhuiyan.

Considering the aforesaid material, in my view, the appellants deserve anticipatory bail, 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)

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