

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3299 of 2017

Arising Out of PS.Case No. -126 Year- 2017 Thana -KAUAKOL District- NAWADA

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1. Ram Prasad Yadav Son of Late Bandhu Yadav
2. Sunil Yadav Son of Ram Prasad Yadav
3. Kailash Yadav Son of Ram Prasad Yadav
4. Pankaj Kumar Yadav @ Pankaj Yadav Son of Ram Prasad Yadav. All
are Resident of Village-Saruni, P.S.-Kauwakol, District-Nawada (Bihar).

.... Appellants

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Pramod Kumar Verma, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 05-01-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by the learned Additional Sessions Judge 1st-cum-Special Judge, Nawada in connection with Kauwakol P.S.Case No. 126 of 2017 registered under Sections 341,323,427,504/34 of the Indian Penal Code as well as under Sections 3(I)(r) of the Scheduled Castes and Scheduled Tribes Act.

A bare perusal of the FIR does not disclose the ingredients under the provisions of SC/ST (Prevention of Atrocities) Act.

Allegation is that for land dispute, the appellants



entered into the house and committed abuse and assault.

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 anticipatory bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Kauwakol P.S. Case No. 126 of 2017, 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, this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

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