

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.641 of 2018

Arising Out of PS.Case No. -93 Year- 2017 Thana -NADI P.S. District- PATNA

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1. Ashok Yadav @ Ashok Kumar,
 2. Sadhu Yadav @ Sadhu Kumar,
 3. Akhilesh Yadav @ Akhilesh Kumar,
 4. Manoj Yadav @ Manoj Kumar All are Sons of Gauri Yadav @ Gauri Shankar Ray, R/o Village- Fatehganjpur, P.S.- Nadi, District- Patna.
 5. Golu Yadav S/o Sanjay Yadav, R/o village- Tilak Nagar, P.S.- Nadi, District- Patna.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Prabhat Kumar Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 26-03-2018

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 Special Judge (S.C./S.T. Act)-cum- Additional Sessions Judge-V, Patna, in connection with Nadi Police Station Case No.93 of 2017 registered under Sections 147/148/149/ 447/ 341 / 323/307/34 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3(i) (r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

There is general and omnibus allegation of commission



of abuse and assault by taking caste name of the informant.

Submission is that for some dispute regarding non-refund of money by the informant in the past son of the informant lodged, with similar allegation, a criminal case wherein the appellants were allowed bail.

Considering the 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/- (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 impugned order is set aside and the appeal is allowed.

(Birendra Kumar, J)

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