

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.567 of 2018

Arising Out of PS.Case No. -38 Year- 2017 Thana -FATEHPUR District- GAYA

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1. Devanand Yadav @ Devanandan Yadav, Son of Ramotar Yadav,
 2. Raj Kumar Yadav @ Raj Kumar, Son of Ramotar Yadav,
 3. Shailesh Yadav @ Shailesh Kumar, Son of Chandar Yadav, All resident of Village- Dharhara Kala, P.S.- Fatehpur, District- Gaya.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 12-04-2018

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 against the refusal of prayer for anticipatory bail by the learned Special Judge (S.C./S.T. Act), Gaya, in Fatehpur Police Station Case No.38 of 2017 registered under Sections 341/323/504/506/354/354D(1)/354B/509/34 of the Indian Penal Code and Sections 3(i) (r)(s)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

For the occurrence dated 27.12.2016, the FIR was lodged on 08.02.2017. The FIR would reveal that the appellants have property dispute with Arjun Yadav and the informant was Bataidar of Arjun Yadav. Allegation is general and omnibus that



all the appellants and others came on a vehicle and started abuse and assault against the informant and others. They also attempted to outrage the modesty of the informant.

Submission is that the appellants have been set up at the Arjun Yadav just to pressurize in that case.

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 impugned order is set aside and the appeal is allowed.

(Birendra Kumar, J)

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