

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.1983 of 2018**

Arising Out of PS. Case No.-169 Year-2017 Thana- PANCHRUKHI District- Siwan

- 
1. Sri Bhagwan Chaudhary @ Sri Bhagwan Yadav, Son of Baldeo Chaudhary,
  2. Dharmendra Yadav, son of Anil @ Neur Chaudhary.
  3. Suresh Yadav @ Suresh Kumar Yadav, son of Chandeshwar Chaudhary.
  4. Mantu Yadav @ Mantu Kumar, Son of Sri Bhagwan Chaudhary @ Sri Bhagwan Yadav. All Resident of village- Bariyarpur, Police Station- Pachrukhi, District- Siwan.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

---

**Appearance :**

|                      |   |                     |
|----------------------|---|---------------------|
| For the Appellant/s  | : | Mr. Raghav Prasad   |
| For the Respondent/s | : | Mr. Sadanand Paswan |

---

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

**Date : 18-07-2018**

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 14.05.2018 passed by the learned Additional Sessions Judge-I-cum-Special Judge, Siwan in A.B.P. No.504 of 2018, arising out of Pachrukhi Police Station Case No.169 of 2017 registered under Sections 341, 323, 392, 506/34 of the Indian Penal Code and Section 3/4 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



*Considering the bona fide claim of the appellants on the referred land as well as considering the delay in filing of the complaint case for the occurrence dated 13.02.2017 on 20.04.2017, in my view, the appellants deserve anticipatory bail.*

Hence 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/- (Rupees 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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellants shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the appellants.

Accordingly, the impugned order is set aside and the appeal is allowed.

**(Birendra Kumar, J)**

abhishek/-

|                   |  |
|-------------------|--|
| AFR/NAFR          |  |
| CAV DATE          |  |
| Uploading Date    |  |
| Transmission Date |  |

