

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2008 of 2018

Arising Out of PS. Case No.-117 Year-2017 Thana- LAUKHA District- Madhubani

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1. Shiva Yadav, Son of Nandi Yadav.
 2. Ram Kumar Yadav, son of Abdhi Yadav,
 3. Manoj Yadav, Son of Nandi Yadav.
 4. Pawan Yadav, Son of Late Dhanjeet Yadav.
 5. Suraj Yadav, Son of Late Domi Yadav.
 6. Nandi Yadav, Son of Late Domi Yadav. All resident of Village- Pacharahi, P.S.- Laukaha, District- Madhubani.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Gagan Deo Yadav
For the Respondent/s : Smt Usha Kumari No-1

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) (2) 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 23.02.2018 passed by the learned 1st Additional Sessions Judge, Madhubani, in A.B.P. No.976 of 2017, arising out of Laukaha Police Station Case No.117 of 2017 registered under Sections 341, 323, 325, 354, 504/34 of the Indian Penal Code and Section 3(i)(r)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



The occurrence of abuse and assault took place allegedly for land dispute between the two neighbours i.e. the informant and the appellants.

Submission is that the present false case has been filed just to pressurize. The Doctor has found fracture of leg.

Considering the background and 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/- (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 this appeal stands allowed.

(Birendra Kumar, J)

abhishek/-

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CAV DATE	
Uploading Date	
Transmission Date	

