

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3335 of 2017

Arising Out of PS.Case No. -66 Year- 2017 Thana -GURARU District- GAYA

- =====
1. Umesh Yadav.
 2. Mahesh Yadav,
 3. Dinesh Yadav, All sons of Late Sukhdeo Yadav, resident of Village-Konchi, P.S.- Guraru, District- Gaya.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Prakash Mahto, Advocate

For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 02-01-2018 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 Guraru Police Station Case No.66 of 2017 registered under Sections 323/341/379/504/506/34 of the Indian Penal Code and Sections 3(i)(x)(s)/2(v-a) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The occurrence of assault and theft allegedly took place for dispute relating to construction of drainage. The F.I.R. would reveal that apparently offence under Section SC/ST Act is



not made out in the facts and circumstances of the 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 appeal stands allowed.

(Birendra Kumar, J)

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