

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2894 of 2018

Arising Out of PS.Case No. -329 Year- 2017 Thana -FATEHPUR District- GAYA

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1. Lalesh Kumar Son of Suresh Yadav
 2. Santosh Kumar @ Santosh Yadav Son of Mathura Yadav.
 3. Mannu Kumar @ Sadhu Kumar Son of Hari Yadav.
 4. Ranjeet Kumar, Son of Dowarika Yadav @ Dwarika Prasad.
 5. Birendra Yadav @ Birendra Kumar, Son of Paryag Yadav, All are resident of Village- Lodhwe Tola- Gulriya, 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. Sheo Kumar Prasad, Advocate
For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 31-08-2018

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 vide order dated 21.05.2018 passed by the learned Special Judge (S.C./S.T. Act), Gaya, in A.B.P. No.106 of 2018, arising out of Fatehpur Police Station Case No.329 of 2017, registered under Sections 147/149/341/323/504/379/452/509/308 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.



The appellants were members of the accused numbering 22 who are named in the FIR. However, there is no specific attribution against the appellants. The appellants have stated on oath that they have got no criminal antecedent.

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)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04.09.2018
Transmission Date	04.09.2018

