

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3161 of 2018

Arising Out of PS. Case No.-179 Year-2018 Thana- ALOULI District- Khagaria

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1. Hiri Yadav @ Harinarayan Yadav son of BiroYadav @ Biranchi Yadav.
 2. Mukesh Yadav son of Paras Yadav.
 3. Lalmohar Yadav @ Manohar Kumar son of Rabadan Yadav.
 4. Ramsogarath Yadav son of Lakhan Yadav @ Ramlakhan Yadav.
 5. Ranvir Yadav son of Ganga Pd. Yadav.
 6. Kamal Yadav @ Kamal Kishor Yadav son of Ganga Pd. Yadav.
 7. Rambadan Yadav son of Guneshwar Yadav.
 8. Lakhan Yadav @ Ramlakhan Yadav son of Fahim Yadav.
 9. Satyanarayan Yadav son of Omprakash Yadav.
 10. Chuko Yadav @ Dharamvir Kumar son of Omprakash Yadav.
 11. Mandal Yadav @ Jitendra Kumar son of Paras Yadav.
 12. Rampratap Yadav son of Ganga Pd. Yadav. All are resident of Village- Imli, P.S.- Allouli, District- Khagaria.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Praveen Kumar Agrawal, Adv
For the Respondent/s	:	Mr. Binay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 13-12-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 02.08.2018 in Spl.A.B.A. No.50 of 2018 (arising out of Allouli P.S.Case No.179 of 2018) passed by the learned Addl. Sessions Judge 1st -cum-Special Judge, Khagaria registered under Sections 147,148,341,323,307,436,504 of the Indian Penal Code,



Section 27 of Arms Act and Sections 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes Act.

There is land dispute between the parties which would be evident from certain documents brought on the record through supplementary affidavit by the appellants and for that reason altogether 12 person are named in the FIR. Allegation against some of them is general and omnibus of commission of injury at the head of different person. The Doctor has found simple injury, whereas allegation of commission of arson is specific against co-accused-Pramod Yadav. Some of the named person fired, however, no injury was caused to anyone. There is case and counter case between the parties. Appellants have stated on oath that they have got no criminal antecedent.

Learned counsel for the informant opposed the prayer for anticipatory bail.

Considering the entire facts of this case aforesaid, 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 anticipatory bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of 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 and further 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 this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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