

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.843 of 2018

Arising Out of PS.Case No. -191 Year- 2016 Thana -DARBHANGA SADAR District-
DARBHANGA

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1. Ganesh Yadav son of Bishundeo Yadav
2. Bishundev Yadav son of Late Bahadur Yadav
3. Rakesh Yadav son of Late Bahadur Yadav@ Rajgir Yadav
4. Rajgir Yadav son of Late Bahadur Yadav
5. Mukesh Yadav alias Mukesh Kumar son of Rajgir Yadav
6. Mithilesh Yadav @ Mithilesh Kumar son of Rajgir Yadav
7. Guddu Kumar son of Late Kameshwar Srivastava All residents of village
Kabirchak, P.S. Sadar, District Darbhanga. Appellant/s

Versus

1. The State of Bihar. Respondent/s

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Appearance :

For the Appellant/s : Mr. Mukesh Kumar, Adv
For the Respondent/s : Smt. Usha Kumari, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 18-06-2018

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 the learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST Act, Darbhanga in connection with Darbhanga Sadar P.S.Case No. 191 of 2016 registered under Sections 147,341,323,354,447,448,379,504,506 of the Indian Penal Code as well as under Sections 3(1)(X) of the Scheduled Castes and Scheduled Tribes Act.

Submission is that the appellants were supporting the candidature of Sangita Devi for the post of Mukhiya and the informant was opposing. For that reason, case and counter case was lodged. Earlier case was lodged by the appellants' side.



Allegation is that they committed abuse, assault and theft.

Submission is that the allegation is malafide to save skin from the counter case.

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 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, this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.06.2018
Transmission Date	20.06.2018

