

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2406 of 2018

Arising Out of PS.Case No. -12 Year- 2017 Thana -SC/ST District- MUNGER

- =====
1. Uttam Yadav @ Uttam Kumar, S/o late Kuldip Yadav,
 2. Sambhu Yadav S/o late Kuldip Yadav,
 3. Ravi Yadav @ Ravikant Yadav S/o late Kuldip Yadav, All are R/o Madhopur
BRM College Road, P.S.- Kotwali, District- Munger.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjay Sinha, Advocate

For the Respondent/s : Mrs. Usha Kumari No.1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 23-08-2018

The appeal is barred by limitation of 70 days. The delay is explained in the petition filed under Section 5 of the Limitation Act vide I.A. No.2152 of 2018.

For substantial justice, the delay is hereby condoned.

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 19.01.2018 passed by the learned Additional Sessions Judge 1st -cum-Special Judge, Munger, in A.B.P. No.66 of 2018, arising out of Munger SC/ST Police Station Case No.12 of 2017, registered under Sections 341/323/354/427/504/506/34 of the Indian Penal Code and Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes



(Prevention of Atrocities) Act, 1989.

For land dispute the occurrence of abuse and assault is alleged against the appellant.

Submission of the learned counsel for the appellants is that the parties have entered into a compromise vide Annexure-2.

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	25.08.2018
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