

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3864 of 2018

Arising Out of PS. Case No.-382 Year-2018 Thana- SAUR BAZAR District- Saharsa

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1. Naresh Yadav
 2. Suresh Yadav Both sons of Rasho Yadav,
 3. Rasho Yadav son of Late Duni Lal Yadav, All Resident of Village- Forsaha, P.S. Saur Bazar, District Saharsa. ... Appellant/s
- Versus

The State of Bihar

.. ... Respondent/s

Appearance :

For the Appellant/s : Mr. Syed Ehteshamuddin, Adv

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date : 14-12-2018

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 12.09.2018 in A.B.P. No.660 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge SC/ST, Saharsa in connection with Saur Bazar P.S.Case No. 382 of 2018 registered under Sections 341,323,354,504 and 506/34 of the Indian Penal Code and Sections 3(i)(r) (s)(u)(w) of the Scheduled Castes and Scheduled Tribes Act.

The offences of the Indian Penal Code alleged against the appellants are bailable. Appellants have no criminal antecedent under the provisions of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. There is allegation of demand of ransom and



commission of assault. The FIR would reveal that for dispute relating to removal of the cook from the school, the occurrence is alleged.

Considering the entire facts of this case, 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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