

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3416 of 2017

Arising Out of PS.Case No. -33 Year- 2016 Thana -SC/ST District- GAYA

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1. Deodhari Yadav, Son of Late Bhola Yadav.
2. Rajendra Yadav, Son of Deodhari Yadav.
3. Mukesh Yadav, Son of Late Ganesh Yadav, null
4. Tarun Yadav, Son of Deodhari Yadav.
5. Chandeshwar Yadav, Son of Deodhari Yadav, All resident of Village-
Bisar, P.S.- Muffasil, District- Gaya.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sheikh Arkan Ahmad, Advocate

For the Respondent/s : Mr. Sadanand Paswan, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 19-01-2018 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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail by the learned Special Judge (S.C./S.T.), Gaya in S.C./S.T. P.S. Case No. 33 of 2016 registered under Sections 147,148,149,323,379,385,504,506 of the Indian Penal Code and under Section 3(1) (iv)(v)(x) of the SC/ST (Prevention of Atrocities) Act.

It appears that a civil suit is going on between the appellants and the informant vide title appeal no. 106 of 2007 in the Court of learned District Judge, Gaya. Vide Annexure-2 of the



supplementary affidavit. In the aforesaid background, complainant based allegation is that the appellants for land dispute, abused the respondents by taking caste name.

Submission of the learned counsel for the appellants is that the background of the allegation would apparently show that the appellants were not intending to humiliating SC/ST rather just to pressurize for the sake of land dispute, the informant and his family members are in habit of filing cases one after another.

Considering the background of allegation and the fact of the aforesaid case, let the appellants, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees 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 condition that the appellant shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

Accordingly, this appeal stands allowed.

(Birendra Kumar, J)

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