

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.575 of 2018

Arising Out of PS.Case No. -32 Year- 2017 Thana -NADI District- SUPAUL

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1. Satish Yadav,
2. Ravikant Yadav,
3. Subhash Yadav, All Sons of Rashbihari Yadav, Resident of Village- Parikoch,
Police Station- Supaul Nadi, District- Supaul.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Arun, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 26-04-2018

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 against the refusal of prayer for anticipatory bail by the learned Additional Sessions Judge-I, Supaul, in connection with Supaul Nadi Police Station Case No.32 of 2017 registered under Sections 341/323/324/307/379/504/506/34 of the Indian Penal Code and Sections 3(i)(r)(s)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

According to FIR, the informant and others had gone to Punjab to work under the leadership of co-accused Satish Yadav.



However, they were not paid with their wages. When the informant returned to the village and demanded wages, the appellants along with his family members allegedly committed abuse and assault by taking caste name of the informant. The case-diary would reveal that that the other witnesses have also supported the occurrence.

Since prima facie offence under the provisions of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989, is disclosed, this appeal against the refusal of prayer for anticipatory bail is not maintainable. Accordingly, it stands dismissed. However, in the event of surrender of the appellants their prayer for regular bail shall be considered without being prejudiced by this order.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
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