

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3511 of 2018

Arising Out of PS. Case No.-222 Year-2018 Thana- BARH District- Patna

-
1. Bhasho Yadav, Son of Late Haro Gope @ Hari Nandan Yadav,
 2. Shambhu Yadav, Son of Late Haro Gope @ Harinandan Yadav,
- All resident of Buranichak, P.S.- Barh, Dist- Patna.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Manoj Kumar Pandey, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 06-12-2018

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 vide order dated 16.08.2018 passed by the learned Special Judge (S.C./S.T. Act)-cum- Additional Sessions Judge-IV, Patna, in A.B.P. No.5702 of 2018, arising out of Barh Police Station Case No.222 of 2018, registered under Sections 452/379/427/504/506/34 of the Indian Penal Code and Sections 3(i)(r)/3(1)(z)/3(1)(f)/3(i)(g) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The appellants are neighbours of the informant.

Allegation is that they damaged the boundary wall and



committed abuse and assault and threatened to remove from there.

Submission is that for trivial dispute between the two neighbours false case has been lodged.

Considering the nature of allegation, 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	07.12.2018
Transmission Date	07.12.2018

