

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1240 of 2018

Arising Out of PS.Case No. -167 Year- 2017 Thana -CHENARI District- SASARAM (ROHTAS)

- =====
1. Baij Nath Yadav, S/o Mahangu Yadav,
 2. Radha Yadav S/o Baij Nath Yadav,
 3. Dhanjee Yadav S/o Baijnath Yadav, All are R/o Village- Chori, P.S.- Chenari, District- Rohtas.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Surendra Prasad Singh, Advocate
For the Respondent/s : Smt. Usha Kumari No.1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 03-07-2018

Heard learned counsel for the parties.

This is an appeal under Section 14 (A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, (hereinafter referred to as the "S.C./S.T. Act") against the refusal of prayer for anticipatory bail vide order dated 14.03.2018 passed in A.B.P. No.103 of 2018, by the learned Addl. Sessions Judge-1st, Rohtas, in connection with Chenari P.S. Case No.167 of 2017, registered under Sections 341,323,354,379,504 and 506 of the Indian Penal Code and Section 3 (i) (f) (g) (r) (s) (z) of the S.C./S.T. Act.

Both sides have adjoining land vide para 25 of the Case Diary and there was dispute relating to encroachment of land by the



informant. In the aforesaid background allegation is of commission of abuse and assault. Allegation is general and omnibus.

Considering the background of the allegation, let the appellant, above named, in the event of his 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 bond of Rs.20,000/- (rupees twenty thousand) 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 appellant 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 appellant.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Abhishek/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

