

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Appeal (SJ) No.1041 of 2018**

Arising Out of PS.Case No. -119 Year- 2018 Thana -NAWADA District- NAWADA

- =====
1. Sunil Yadav Son of Late Ramroop Yadav
  2. Ajay Yadav Son of Rajendra Yadav
  3. Sita Ram Yadav Son of Arjun Yadav
  4. Vedeshwar Yadav Son of Kapil Yadav
  5. Kapil Yadav Son of Late Ramroop Yadav, All are residents of Village- Budhoul Bigha Par, P.S. Nawada, District - Nawada.

.... .... Appellant/s

Versus

1. The State of Bihar.

.... .... Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Sheo Kumar Prasad, Advocate  
For the Respondent/s : Mr. Binay Krishna, SPP

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**

**ORAL JUDGMENT**

**Date: 29-06-2018**

Heard learned counsel for the parties.

This is an appeal under Section 14A (ii) 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.320 of 2018, by the learned Additional District & Sessions Judge-1<sup>st</sup>-cum-Special Judge, Nawada, in connection with Nawada P.S. Case No.119 of 2018, registered under Sections 354(B), 447, 147, 149, 323, 504 of the Indian Penal Code and Section 3(I-r) W(I) of the S.C./S.T. Act.

For the earlier act committed by co-accused Rajesh Yadav, where Rajesh Yadav had allegedly committed sexual assault against the



informant, a subsequent occurrence of assault and abuse allegedly took place when the informant had gone to complain to the family members of Rajesh Yadav. The appellants participated in the subsequent occurrence. There is case and counter case.

Considering the background of the 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/- (rupees 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 and trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the appellants.

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

**(Birendra Kumar, J)**

Abhishek/-

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