

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3573 of 2018

Arising Out of PS. Case No.-61 Year-2018 Thana- DANDKHORA District- Katihar

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1. Lalita Devi W/o Rajiv Ranjan Yadav
 2. Rajiv Ranjan Yadav @ Rajiv Ranjan.
 3. Rakesh Kumar Yadav @ Rakesh Yadav
 4. Mukesh Kumar Yadav @ Mukesh Yadav, Appellants no. 2 to 4 are son of Satrudhan Yadav, all are residents of Village+ P.S.- Dandkhora, District- Katihar.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Harish Chandra Patel, Adv
For the Respondent/s : Mr. Binay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 07-12-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 14.08.2018 in A.B.P. No.57 of 2018 passed by the learned 1st Addl. Sessions Judge-cum-Special Judge SC/ST, Katihar in connection with Dandkhora P.S.Case No. 61 of 2018 registered under Sections 323,341,385,379,353,504,506,34 of the Indian Penal Code and Sections 3(i)(r) of the Scheduled Castes and Scheduled Tribes Act.

The informant is Headmaster of the school. Allegation is that the appellants demanded ransom from



the informant and damaged the school register of the school. The counter case would reveal that the appellants Nos.1 and 2 had gone to enquire about the status of dress allowance and scholarship allowance of their daughters, who were studying in the same school.

Submission is that the informant did not reply satisfactorily for the reason that amount was embezzled by the informant. Just to save skin, present false case has been lodged.

Considering the background of allegation, chances of malafide prosecution cannot be ruled out for the purpose of consideration of this prayer for anticipatory bail, hence, 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 anticipatory bail on furnishing bail bond of Rs.20,000 (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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further 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 this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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