

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2816 of 2018

Arising Out of PS.Case No. -68 Year- 2018 Thana -BENIPATTI District- MADHUBANI

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1. Ranjeet Yadav, Son of Dukh Haran Yadav, Resident of Village- Samda, P.S.- Benipatti, District- Madhubani.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Gagan Deo Yadav, Adv

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 30-08-2018

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 12.07.2018 in A.B.P. No.1015 of 2018 passed by the learned 1st Additional Sessions Judge, Madhubani in connection with Benipatti P.S.Case No. 68 of 2018 registered under Sections 302,201/34 of the Indian Penal Code as well as under Sections 3(2)(v)/3(2)(v)(a) of the Scheduled Castes and Scheduled Tribes Act.

According to FIR, co-accused-Dheeraj Kumar had love affairs with the daughter of the informant. However, daughter of the informant was married with some other person.



Dead body of the daughter of the informant was found from the Hut of the informant. The dead body was disposed of. Thereafter, FIR was lodged with allegation that due to love affairs, Dheeraj Kumar and others might have committed murder of the victim after commission of rape.

Submission is that the appellant is father of co-accused-Dheeraj Kumar. Since dead body was disposed of by the informant himself, no evidence is available on the record to substantiate the allegation of murder or suicide or commission of rape. Just to pressurize, false case has been lodged.

Considering the aforesaid facts, 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 anticipatory bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) 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 both bailors shall be resident of territorial jurisdiction of the learned court below and further 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)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	31.08.2018
Transmission Date	31.08.2018

