

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.616 of 2018

Arising Out of PS.Case No. -187 Year- 2017 Thana -WARSALIGANJ District- NAWADA

- =====
1. Chandan Yadav,
 2. Ashok Yadav Both Sons of Chanirak Yadav @ Chandirka Yadav, Both
R/o Village- Murlachak, P.S.- Warsaliganj, District- Nawada.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Sheo Kumar Prasad

For the Respondent/s : Smt Usha Kumari No-1

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 03-04-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail by the learned 1st Additional Sessions Judge-cum-Special Judge, Nawada in Warisaliganj P.S. Case No. 187 of 2017 registered under Sections 302/34 of the Indian Penal Code as well as Section 3(2)(v) of the SC/ST Act.

The specific allegation of commission of assault to the deceased Rinku Devi is against co-accused Shobha Devi and Sarswati Devi. In the last paragraph of the FIR, there is general and omnibus allegation of commission of assault against the appellants also.

Considering the aforesaid facts, 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 bond of the appellants.

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

(Birendra Kumar, J)

Kundan/-

U		T	
---	--	---	--

