

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.325 of 2018

Arising Out of PS.Case No. -9 Year- 2017 Thana -SANJHAULI District- SASARAM (ROHTAS)

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1. Gopal Yadav @ Sheo Gopal Singh,
 2. Sheomuni Yadav, Both Sons of Dhaja Yadav,
 3. Mantu Yadav, S/o Gopal Yadav @ Sheo Gopal Singh, All resident of Village- Garura, P.S.- Sanjhauli, District- Rohtas.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Kameshwar Singh

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 16-02-2018 Appellant no. 1 Gopal Yadav @ Sheo Gopal

Singh has already been arrested. Hence, his prayer for anticipatory bail is infructuous now.

Heard on the prayer of appellant no. 2 Sheomuni Yadav and appellant no. 3 Mantu Yadav.

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 (S.C./S.T.), Rohtas at Sasaram in Sanjouli P.S. Case No. 09 of 2017 registered under Sections 147, 148, 149, 448, 341, 323, 354, 452, 436, 427, 504, 506, 337 of the Indian Penal Code, Section 27 of the Arms Act as well as



Section 3(1)(r)(s)(u) of the SC/ST Act.

It appears that similarly situated some other co-accused have already been allowed anticipatory bail by a Coordinate Bench of this Court vide Annexure-4 considering the general and omnibus nature of allegation.

Hence, let the appellant no. 2 and 3, 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 appellant no. 2 and 3 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 appellant no. 2 and 3.

Accordingly, this appeal stands allowed.

(Birendra Kumar, J)

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