

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2128 of 2018

Arising Out of PS. Case No.-126 Year-2015 Thana- CHARPOKHARI District- Bhojpur

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Ram Ishwar Yadav, Son of Late Budhan Yadav @ Late Budhah Singh,
resident of Village- Chandi, Police Station- Charpokhari, District- Bhojpur
(Ara).

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Manish Kumar No-2

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 25-07-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A) 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 vide order dated 26.05.2018 passed by the learned Additional Sessions Judge-1st, Bhojpur, Ara in A.B.P. No.600 of 2018, arising out of Charpokhari Police Station Case No.126 of 2015 (SC/ST No.99 of 2018) registered under Sections 147, 148, 149, 307, 120B of the Indian Penal Code and Section 27 of the Arms Act as well as Section 3 (2) (v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

It appears that co-accused, *Lallu Yadav* and *Deo Kumar Yadav* standing on similar footing have already been allowed anticipatory bail by co-ordinate Bench of this Court vide *Annexure-1*,



considering the fact that though there is general and omnibus allegation of firing committed by the accused persons, no injury was caused to anyone.

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 bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) 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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellant shall fully co-operate 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)

abhishek/-

AFR/NAFR	N.A.
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