

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3400 of 2018

Arising Out of PS. Case No.-161 Year-2018 Thana- KAKO District- Jehanabad

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1. Binda Yadav, S/o Sarbi Yadav,
 2. Jay Jay Lal @ Jai Jai Lal Yadav, S/o Sarbi Yadav,
 3. Ramashray Yadav S/o Sarbi Yadav,
 4. Sarbi Yadav S/o Dwarika Yadav, All residents of Vill.- Sulemanpur, P.S.- Kako, District- Jehanabad... .. Appellant/s
- Versus

The State of Bihar

.. .. Respondent/s

Appearance :

For the Appellant/s : Mr. Umesh Kumar, Adv
For the Respondent/s : Mr. Binay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 04-12-2018

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 06.08.2018 in A.B.P. No.1160 of 2018 (arising out Kako P.S.Case No.161 of 2018) passed by the learned Addl. Sessions Judge-I, Jehanabad registered under Sections 147, 149, 323, 341, 337, 379, 504, 506 of the Indian Penal Code and Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes Act.

Appellant No.3-Ramashray Yadav has already been arrested in this case. Hence, his



prayer for anticipatory bail is infructuous now.

There is case and counter case. The appellants and others allegedly abused to the informant when the informant interfered in the quarrel between the two group.

Considering the general and omnibus nature of allegation as well as the fact that offences of the Indian Penal Code alleged against the appellants are mostly bailable and the appellants have got no criminal antecedent, 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
Uploading Date	06.12.2018
Transmission Date	06.12.2018

