

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1159 of 2018

Arising Out of PS.Case No. -47 Year- 2017 Thana -BANSHI District- JEHANABAD

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1. Sakaldeo Yadav, S/o Rajvallam @ Raj Ballabh Singh @ Raj Ballabh Yadav.
 2. Mangal Yadav @ Timal Yadav, S/o Rajvallam @ Raj Ballabh Singh @ Raj Ballabh Yadav.
 3. Madhurendra Yadav.
 4. Maleendra Yadav @ Maleendra Kumar, Both are sons of Mangal Yadav @ Timal Yadav.
 5. Saroj Devi, W/o Sakaldeo Yadav.
 6. Guria Devi @ Guria Kumari, D/o Sakaldeo Yadav.
 7. Rajmani Devi @ Jirmatee Devi, W/o Mangal Yadav @ Timal Yadav, All are resident of village- Kurmawan, P.S.- Banshi, District- Arwal.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bishwa Bijay Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 29-06-2018

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 “S.C./S.T. Act”) against the refusal of prayer for anticipatory bail vide order dated 15.03.2018 passed in A.B.P. No.328 of 2018, by the learned Additional Sessions Judge-1st, Jehanabad, in connection with Banshi P.S. Case No.47 of 2017, registered under Sections 341, 323, 337, 379, 354 (B), 307, 504/34 of the Indian Penal Code and Section 3(1) (R) (S) of the S.C./S.T. Act.



A civil suit is going on between the parties. There is case and counter case.

Submission is that for land dispute the false allegation has been alleged that the appellants abused to the complainant by taking caste name and committed assault.

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 bond 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 bonds of the appellants.

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

(Birendra Kumar, J)

Abhishek/-

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CAV DATE	
Uploading Date	
Transmission Date	

