

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.872 of 2018

Arising Out of PS.Case No. -16 Year- 2015 Thana -SC/ST District- MADHUBANI

- =====
1. Ram Chandra Yadav, Son of Late Manager Yadav,
 2. Bhogendra Yadav, Son of Late Choudhary Yadav, Resident of Village- Dalokhar, P.S. Ladaniya, District- Madhubani.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Gagan Deo Yadav, Advocate

For the Respondent/s : Mr. Sadanand Paswan, S.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 28-06-2018

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 order dated 11.01.2018 passed in A.B.P. No. 1627 of 2017 by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T.), Madhubani in connection with Madhubani SC/ST P.S. Case No. 16 of 2015 registered under Sections 147, 149, 341, 323, 504 of the Indian Penal Code as well as Section 3(i)(x) of the SC/ST Act.

The informant is a PDS dealer and wife of the informant is a councillor. Allegation is that the appellants allegedly abused as they were asking to withdraw the case lodged against the local Mukhiya.



Submission is that false and concocted allegation is there just to pressurize as the appellants were ventilating the grievance of the villagers against the PDS dealer for not supplying the goods to the consumers in time and in proper quantity.

Considering the background and nature of allegation, 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/Sanjeev

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	
Transmission Date	

