

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.904 of 2018

Arising Out of PS.Case No. -65 Year- 2013 Thana -SC/ST District- JAMUI

- =====
1. Suma Devi, Wife of Sri Kamdeo Yadav
 2. Diwakar Yadav, Son of Sri Kamdeo Yadav
 3. Kamdeo Yadav, Son of Birwal Yadav All Resident of Village-Maldahdih, P.S. Chandramandih, District-Jamui.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Prakash Mahto, Advocate

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

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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 against the refusal of prayer for anticipatory bail vide order dated 23.02.2018 passed in A.B.P. No.176 of 2018 by the learned 1st Additional Sessions Judge, Jamui, in Jamui SC/ST Police Station Case No.65 of 2013 (Complaint Case No.1244C of 2013) registered under Sections 341/323/324/504/354 of the Indian Penal Code and Sections 3(i)(x)(xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The complaint based allegation would reveal that the



complainant was allegedly abused by taking her caste name.

Submission is that the case-diary would reveal that both sides are neighbour. Since goat of the informant had grazed the crop of the appellants, the altercation had taken place.

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/- (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/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 the appeal is allowed.

(Birendra Kumar, J)

Mkr./-

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CAV DATE	NA
Uploading Date	
Transmission Date	

