

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.685 of 2018

Arising Out of PS.Case No. -448 Year- 2017 Thana -FATEHPUR District- GAYA

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1. Babloo Yadav, Son of Jagdish Yadav @ Jago Yadav,
 2. Santosh Yadav, Son of Jagdish Yadav @ Jago Yadav, Resident of Village- Bahesh Pipra, P.S.- Fatehpur, District- Gaya.
 3. Tulsi Yadav, Son of Utim Yadav, Resident of Village- Jorbarchak, P.S.- Fatehpur, District- Gaya.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Shivendra Prasad, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 12-04-2018

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 by the learned Exclusive Special Judge (S.C./S.T. Act), Gaya, in connection with Fatehpur Police Station Case No.448 of 2017 registered under Sections 341/323/379/504/34 of the Indian Penal Code and Sections 3(q) (r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

For previous dispute the appellants and others allegedly assaulted to the informant and snatched his money.



Submission is of false implication and further submission is that no offence under the provisions of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is made out.

Considering the substance in the submission aforesaid, 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./-

AFR/NAFR	NAFR
CAV DATE	NA
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