

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.498 of 2018

Arising Out of PS.Case No. -153 Year- 2017 Thana -BELDAUR District- KHAGARIA

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1. Nago Yadav, S/o Late Anup Yadav,
 2. Sharan Yadav, S/o Late Anup Yadav,
 3. Julo Yadav @ Jukesh Yadav, S/o Shahi Yadav,
 4. Lalkhua Yadav @ Lal Kun Yadav,
 5. Tittu Yadav @ Tittu Kumar, S/o Babulal Yadav,
 6. Nitish Yadav, S/o Gram Sevak Yadav,
 7. Nilesh Yadav, S/o Babulal Yadav, Resident of Village- Bandehra, P.S.- Beldaur, District- Khagaria.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Binod Kumar, Advocate

For the Respondent/s : Smt Usha Kumari No-1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 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 Additional Sessions Judge-I, Khagaria, in connection with Beldaur Police Station Case No.153 of 2017 registered under Sections 341/323/307/504/506/447/427/34 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation is that seven persons were grazing their buffalos causing damage to the paddy crop of the informant.



When the informant forbade they committed assault.

Submission of the learned counsel for the appellant is that the police have not found any sign of grazing of crops. In fact there is land dispute between the parties. The allegation is general and omnibus. The appellants have got no criminal antecedent.

Finding substance in the aforesaid material available and on perusal of the case-diary, 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)

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