

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.246 of 2018

Arising Out of PS.Case No. -578 Year- 2017 Thana -BIHTA District- PATNA

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1. Ravi Yadav, son of Ran Vijay Yadav @ Ran Vijay Ray.
2. Ran Vijay Yadav @ Ran Vijay Ray, son of Late Shivnandan Yadav. Both
resident of Village- Dumri, Police Station- Bihta, District- Patna.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Akhauri Kamal Kishore Sahay, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 06-03-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by the learned Additional District & Sessions Judge-2-cum- Special Judge, SC/ST Act, Patna in connection with Bihta P.S.Case No. 578 of 2017 registered under Sections 341,323,504/34 of the Indian Penal Code as well as under Sections 3(1)(R)(W)of the Scheduled Castes and Scheduled Tribes Act.

The son of the informant had gone to ease by the road side. When the appellants forbid the allegation is that a quarrel started and the appellants abused to the son of the informant by taking caste name.



Considering the entire statement in the FIR, it is not evident that the appellants were intending to humiliate a member of the scheduled caste, hence, 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 anticipatory bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of 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, this appeal stands allowed.

(Birendra Kumar, J)

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