

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.522 of 2018

Arising Out of PS.Case No. -32 Year- 2017 Thana -SC/ST District- PATNA

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1. Sanjay Yadav,
 2. Dhananjay Yadav,
 3. Tannu Yadav Sl. Nos.1, 2 &3 are Sons of Swarath Yadav @ Ram,
 4. Ashok Yadav,
 5. Karu Yadav Sl. Nos.4 & 5 are Sons of Brija Yadav,
 6. Manoj Yadav,
 7. Sanoj Yadav Sl. Nos. 6 & 7 are Sons Ramanand Yadav, All are R/o Village- Moniyampur, P.S.- Nagarnausa, District- Nalanda.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

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

For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 15-03-2018 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 Special Judge (S.C./S.T. Act)-cum-Additional Sessions Judge-V, Patna, in connection with Special Case No.819 of 2017, arising out of SC/ST/M Police Station Case No.32 of 2017 registered under Sections 147/148/149/448/323/324/307/504/506 of the Indian Penal Code and Sections 3(i) (r)/3(1)(f)/3(1)(g) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The FIR would reveal that there is no allegation under the provisions of Scheduled Castes and Scheduled Tribes



(Prevention of Atrocities) Act against the appellants. Specific allegation of commission of injury with knife is against co-accused Satyendra Yadav @ Kachu Yadav and allegation of commission of fire-arm injury at the leg is against co-accused Arun Yadav.

In the circumstances, in my view, the appellants deserve anticipatory bail. 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 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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