

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1134 of 2018

Arising Out of PS.Case No. -46 Year- 2016 Thana -GAYA COMPLAINT CASE District- GAYA

=====

1. Upendra Yadav son of Prabhu Yadav,
2. Chhotu Kumar son of Upendra Yadav,
3. Munna Yadav @ Munna Kumar son of Upendra Yadav,
4. Parmeshwar Yadav son of Jaggu Yadav,
5. Chandan Yadav @ Chandan Kumar son of Parmeshwar Yadav,
6. Bablu Yadav son of late Raju Yadav
7. Guddu Yadav @ Guddu Kumar Yadav son of late Raju Yadav,
All are resident of village Godhu, P.S. Bodhgaya, District- Gaya (Bihar)

.... Appellant/s

Versus

1. The State of Bihar
2. Sima Devi W/o. Bhola Manjhi, R/o. Village- Godhu, P.S. Bodhgaya, District- Gaya (Bihar)

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Sanjay Kumar, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 25-07-2018

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 03.02.2018 passed by the learned Special Judge (S.C./S.T. Act), Gaya, in Complaint Case No.46 of 2016 (TR No.203 of 2017), registered under Sections 341/323/324/380/34 of the Indian Penal Code and Section 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Perused the complaint petition, statement of the



complainant on oath and statement of the witnesses recorded under Section 202 Cr.P.C.

Considering the nature of allegation and lack of material to substantiate any reason for the appellants to go over the land, I am not inclined to interfere with the impugned order whereby prayer for anticipatory bail has been refused. Hence, this appeal is dismissed as devoid of any merit. However, prayer of the appellants for regular bail shall be considered without being prejudiced by the order of this Court.

Accordingly, the appeal stands dismissed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	28.07.2018
Transmission Date	28.07.2018

