

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1679 of 2018

Arising Out of PS.Case No. -41 Year- 2018 Thana -MUFFASIL District- AURANGABAD

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1. Anuj Yadav,
2. Manoj Yadav @ Manoj Yadav,
3. Sarooj Yadav @ Saroj Yadav All Sons of Late Yadu Yadav, R/o Vill.- Sahay
Bigha, P.S.- Mufasil, Aurangabad, Distt.- Aurnagabad (Bihar).

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ranjit Kumar, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 03-08-2018

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 order dated 17.04.2018 by the learned 1st Addl. Sessions Judge-cum-Special Judge SC/ST Act, Aurangabad in connection with Mufassil (Aurangabad) P.S.Case No. 41 of 2018 registered under Sections 341,323,504,34 of the Indian Penal Code and Sections 3 of the Scheduled Castes and Scheduled Tribes Act.

For trivial dispute, an occurrence of abuse and assault was allegedly committed by the appellants. Offences of



Indian Penal Code are bailable. The appellants have got no criminal antecedent much less antecedent of any atrocity against the member of SC/ST.

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 and both bailors shall be resident of territorial jurisdiction of the learned court below and further 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 this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.08.2018
Transmission Date	07.08.2018

