

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2143 of 2018

Arising Out of PS.Case No. -111 Year- 2017 Thana -GADHPURA District- BEGUSARAI

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1. Kalanand Yadav, Son of Late Kishun Yadav.
2. Kundan Yadav, Son of Dayanand Yadav.
3. Bablu Yadav, Son of Dayanand Yadav, All resident of Village- Rajour, P.S.-
Garhpura, District- Begusarai.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sandip Kumar Gautam, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 07-09-2018

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 15.05.2018 in A.B.A. No.893 of 2018 passed by the learned Special Judge SC/ST Act, Begusarai in connection with Garhpura P.S.Case No. 111 of 2017, G.R.No.4200 of 2017 registered under Sections 147, 148, 149, 341, 323, 307, 354(B), 325, 435, 427, 504, 506 of the Indian Penal Code and Sections 3(1)(g) (w) of the Scheduled Castes and Scheduled Tribes Act.

Allegation is that the appellants and others unknown committed loot of the grains from the field of the informant and



damaged the remaining crops.

Submission of the learned counsel for the appellants is that the said land is of the appellants purchased in the name of mother of appellant No.1 from Ram Badan Das, ancestor of the informant, through registered sale deed in the year 1976 and just to put wrong claim, present false case has been lodged with intent to pressurize the appellants. He further submits that the Doctor has found simple injury on the person of the injured and the grievous injury found by the Doctor was at the left forearm. Other allegations are general and omnibus.

Learned counsel for the informant opposed the prayer for anticipatory bail.

Considering the material available on the record and background of the allegation, 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	10.09.2018
Transmission Date	10.09.2018

