

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3843 of 2018

Arising Out of PS. Case No.-526 Year-2000 Thana- JAHANABAD District- Jehanabad

Ramashish Singh Yadav, Son of Sri Tribhuni Yadav, Resident of Village-
Barbiga, P.S. & Distirct-Jehanabad.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 14-12-2018

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 11.09.2018 passed by the learned Additional Sessions Judge-I, Jehanabad, in A.B.P. No.1396 of 2018, arising out of Jehanabad Police Station Case No.526 of 2000, registered under Sections 448/353/385/379/120B of the Indian Penal Code and Sections 3(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

It is evident from the impugned order that FIR of the



occurrence was lodged against the appellant and co-accused Manoj Yadav in the year 2000. After investigation the police submitted final form not sending up the accused persons for trial in the year 2002. The learned Chief Judicial Magistrate differing with the final report took cognizance in the year 2010. Thereafter, co-accused Manoj Yadav was allowed anticipatory bail on 16.07.2015 in A.B.P. No.667 of 2015 by the learned Sessions Judge, Jehanabad, itself. The prayer of the appellant was refused mainly for the reason that the appellant approached the Court after long delay of 18 years.

Submission is that the appellant has no knowledge of the case nor any process was ever served on the appellant.

Considering the facts of the case aforesaid, let the appellant, above named, in the event of his 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) 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 appellant 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 appellant.

Accordingly, the impugned order is set aside and appeal stands allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
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