

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3692 of 2018

Arising Out of PS. Case No.-268 Year-2018 Thana- ARA NAWADA District- Bhojpur

1. Dilip Yadav @ Dilip Kumar Yadav @ Dilip Singh,
2. Deepak Yadav @ Deepak Kumar Yadav Both Sons of Lallu Yadav,
3. Brij Bihari Yadav S/o Ram Nath Yadav, All R/o Vill.- Kalyanpur, P.S.- Bihiya, District- Bhojpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Prabhat Kumar Singh
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 11-12-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 16.08.2018 passed by the learned 1st Additional Sessions Judge, Ara in A.B.P. No.1197 of 2018, arising out of Ara Nawadah Police Station Case No.268 of 2018 registered under Sections 302/34 of the Indian Penal Code and Sections 3 (2)V of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

During a Baarat procession, someone from Baarat Party committed murder of the son of the informant, who had gone to watch



the Baarat. The appellants were member of the bride side, which would be evident from the F.I.R. itself.

Allegation is that in the subsequent assault of occurrence, the appellants and others were involved in abuse and threat. Appellants have got no criminal antecedent.

Considering the facts aforesaid, 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/- (Rupees 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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellants shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the appellants.

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

(Birendra Kumar, J)

abhishek/-

AFR/NAFR	NAFR
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