

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1601 of 2018

Arising Out of PS.Case No. -25 Year- 2017 Thana -AANTI District- GAYA

- =====
1. Mahesh Yadav @ Mahendra Yadav, Son of Sheonandan Yadav,
 2. Krishna Yadav, Son of Late Ramratan Yadav @ Rajendra Yadav, Both Resident of Village- Tineri, P.S.- Anti, District- Gaya.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjay Kumar Sharma, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 02-08-2018

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 09.04.2018 passed by the learned Special Judge (S.C./S.T. Act), Gaya, in A.B.P. No.70 of 2018, arising out of Anti Police Station Case No.25 of 2017, registered under Sections 147/148/149/448/ 341/ 323/ 354/427/307/504/506 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

A civil suit bearing Title Suit No.36 of 2014 is going on between the parties. In the aforesaid background case and counter-



case was lodged with allegation of commission of abuse and assault.

Considering the background and general and omnibus nature of 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 bail on furnishing bail bonds of Rs.20,000/- (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 the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that 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 the appeal is allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
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