

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2579 of 2018

Arising Out of PS. Case No.-2 Year-2018 Thana- SC/ST BAGHA District- West Champaran

1. Raksha Yadav, Son of Late Ramdhari Yadav.
 2. Manish Yadav
 3. Sadhu Yadav both are sons of Raksha Yadav,
All are resident of village-Narayanpur, Chiran Tola, Ward No.4,
P.S.-Bagaha (Patkhauli), District-West Champaran.. ... Appellant/s
- Versus

The State Of Bihar

.. ... Respondent/s

Appearance :

For the Appellant/s : Mr. Abhishek Kumar, Adv
For the Respondent/s : Smt Usha Kumari No-1,SPP

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT**

Date : 13-12-2018

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 23.05.2018 in A.B.P. No.799 of 2018 passed by the learned Additional District and Sessions Judge 1st -cum-Special Judge SC/ST, Bettiah, West Champaran in connection with SC/ST Bagaha P.S.Case No. 02 of 2018 registered under Sections 147,149,341,323,504,354(B),506 of the Indian Penal Code and Sections 3(i)(r) (w) of the Scheduled Castes and Scheduled Tribes Act.

For trivial dispute, there is allegation of commission of abuse and assault by taking caste name of the informant. Other assailants are sons of appellant



No.1. Appellants have got no criminal antecedent under SC/ST Act.

Submission is that land dispute is reason behind the false allegation.

Considering the facts of this case, 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 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
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