

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4059 of 2018

Arising Out of PS. Case No.-32 Year-2018 Thana- SC/ST BETTIAH District- West
Champaran

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1. Prahlad Yadav, S/o Late Nepal Yadav
 2. Sudhanshu Yadav
 3. Jaikishun Yadav @ Jai Kishan Yadav, Both are son of Prahlad Yadav and all are Resident of Village - Chegauna P.S. Shikarpur, Distt. - West Champaran

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Bimlesh Kumar Pandey
For the Respondent/s	:	Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 18-12-2018

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 13.09.2018 in A.B.P. No. 1583 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, West Champaran at Bettiah in connection with Bettiah SC/ST P.S. Case No. 32 of 2018 registered under Sections 341, 323, 379, 504/34 of the Indian Penal Code as well as Sections 3(i)(r)(ii)(va) of the SC/ST Act.

When the son of the informant was crossing near the house of the appellants, there is general and omnibus nature of



allegation of commission of abuse and assault as well as theft of rupees twenty five thousand. The appellants have got no criminal antecedent and the parties have entered into a compromise.

Learned Special Public Prosecutor opposed the prayer for bail.

Considering the fate of trial after compromise, 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 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 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 as well as condition that both the bailors shall be resident of the territorial jurisdiction of the learned court below.

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

(Birendra Kumar, J)

Kundan/Rajan

AFR/NAFR	N.A.
CAV DATE	N.A.
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