

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.484 of 2019

Arising Out of PS. Case No.-354 Year-2018 Thana- MAJHAULIA District- West Champaran

1. Sunil Yadav @ Bagar Yadav @ Bagad Yadav, son of Bigu Yadav
2. Wakil Yadav, son of Yadav Lal Yadav @ Yado Yadav @ Yado Raut
3. Viran Yadav @ Biran Yadav, son of Late Ramji Yadav @ Ramji Raut
Resident of Village - Madhopur, Ahir Toli
4. Lalbabu Yadav, son of Gulab Yadav
All are Resident of Village - Madhopur, Ahir Toli, P.S.- Majhauria, District-
West Champaran.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Manoj Kumar No.1
For the Respondent/s : Mr.Usha Kumari (App

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 13-02-2019

This is an appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer of anticipatory bail dated 17.12.2018 passed by the learned Addl. District and Sessions Judge-1st-cum-Special Judge, Bettiah, West Champaran in ABP No. 2491 of 2018 arising out of Majhauria P.S.Case No. 354 of 2018 registered under Sections 307, 323, 324, 341, 379, 447 and 504/34 of the Indian penal Code and Sections 3(i)(v)(r)/3(v)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellants is of assaulting to the informant and abusing by caste name.

Submission of learned counsel for the appellants is that



there is case and counter case in between the parties and both sides received injuries and furthermore, injuries found on the person of the informant is simple in nature.

Heard learned Spl. P.P also and learned counsel appearing on behalf of the informant.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellants, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Addl. District and Sessions Judge-1st-cum-Special Judge, Bettiah, West Champaran in ABP No. 2491 of 2018 arising out of Majhaulia P.S.Case No. 354 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

Accordingly, the appeal is allowed and the impugned order is set aside with respect to them.

(Vinod Kumar Sinha, J)

sujit/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

