

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.709 of 2019**

Arising Out of PS. Case No.-1 Year-2015 Thana- SC/ST District- Nawada

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1. Ajeet Yadav @ Ajeet Kumar, Son of Ram Swaroop Yadav
 2. Bhim Yadav Son of Shivalak Yadav
 3. Sunil Kumar @ Sunil Yadav Son of Jageshwar Yadav
 4. Jageshwar Yadav Son of Late Chamari Yadav
 5. Sudama Yadav Son of Kailash Yadav

All R/o Village- Jhunathi, P.S.- Mufasil, Nawada, District- Nawada.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Vibhuti Ranjan Sonvadra

For the Respondent/s : Mrs.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA

ORAL JUDGMENT

Date : 01-03-2019

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 11.10.2018 passed by the learned 1st Addl. Sessions Judge-cum-Special Judge, Nawada in ABP No. 1603 of 2018 arising out of Nawada SC/ST P.S.Case No. 01 of 2015 registered under Sections 323, 341, 427 and 504/34 of the Indian penal Code and Sections 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation as per the FIR is that some miscreants were abusing the driver of a Bolero vehicle which was objected by one Baleshwar Manjhi upon which they assaulted him. When



the informant objected he was also assaulted by the appellants and taken away his chicken and also abused him by caste name.

Submission of learned counsel for the appellants is that there is case and counter case in between the parties and they have falsely been implicated in this case.

Heard learned Spl. P.P also who has opposed the prayer for anticipatory bail on the ground that charge sheet has already been submitted and case was found true and cognizance has also been taken.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the appellants rather they should surrender within a period of six weeks from the date of receipt of a copy of this order and make prayer for regular bail, which shall be considered and disposed of on basis of material available on record, without being prejudiced by this order, if possible, on the same day.

(Vinod Kumar Sinha, J)

sujit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	

