

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1090 of 2019**

Arising Out of PS. Case No.-9 Year-2018 Thana- SC/ST District- Jehanabad

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1. Bijendra Yadav
 2. Sadhu Yadav
 3. Santosh Yadav
All sons of Sundar Yadav Resident of Village - Katharain, P.S.- Mehandia,
District - Arwal.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Paras Nath
For the Respondent/s	:	Mr.Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT**

Date : 28-03-2019

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 22.01.2019 passed by the learned 1st Addl. Sessions Judge Jehanabad in ABP No. 1921 of 2018 arising out of Arwal SC/ST P.S.Case No. 09 of 2018 registered under Sections 307, 323, 341, 504 and 506/34 of the Indian penal Code and Sections 3(i)(f) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation as per written report is that while the appellants others were putting brick walls they were objected by the informant upon which he was abused by caste name and one Suneshwar Yadav assaulted by Khanti on the head of the informant causing injury.



Submission of learned counsel for the appellants is that there is case and counter case in between the parties and both parties have received injuries and there is no allegation of assault against the appellants.

Heard learned Spl. P.P also.

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 1st Addl. Sessions Judge Jehanabad in ABP No. 1921 of 2018 arising out of Arwal SC/ST P.S.Case No. 09 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	

