

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1153 of 2019**

Arising Out of PS. Case No.-39 Year-2018 Thana- SC/ST District- Banka *

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1. Shyam Yadav, S/o Late Charni Yadav
 2. Ishu Yadav S/o Shyam Yadav
Both Resident of Karhariya, P.S.- Banka, District- Banka

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Sanjay Kumar Tiwary
For the Respondent/s	:	Mrs.Usha Kumari 1

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

Date : 01-04-2019

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 22.02.2019 passed by the learned 1st Addl. Sessions Judge Banka in ABP No. 80 of 2019 arising out of Banka SC/ST P.S.Case No. 39 of 2018 registered under Sections 323, 341, 504 and 506/34 of the Indian penal Code and Sections 3(i)(r)(g) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellants and others is of abusing the informant by caste name but thereafter he returned home. Later on, accused persons again came to house of informant and



assaulted and threatened him.

At the very outset, submission of learned counsel for the appellants is that appellant no. 1 has already been arrested as such present appeal against appellant no. 1 stands dismissed as withdrawn.

Submission of learned counsel for the appellant no. 2 is that he has falsely been implicated due to village rivalry.

Heard learned Spl. P.P also.

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 him rather he 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 its own merit 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	

