

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1330 of 2019

Arising Out of PS. Case No.-263 Year-2018 Thana- BAUNSI District- Banka

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1. GANESH YADAV @ GUNESH YADAV Resident of Village - Bhaljor, P.S.- Bounsi, Distt - Banka.
 2. Laloo Yadav Son of Raju Yadav Resident of Village - Bhaljor, P.S.- Bounsi, Distt - Banka.
 3. Girdhari Yadav Son of Raju Yadav Resident of Village - Bhaljor, P.S.- Bounsi, Distt - Banka.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Mritunjay Prasad Singh
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

4 26-06-2019 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

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 27.2.2019 passed by learned Additional Sessions Judge-I, Banka in connection with Bounsi P.S. Case No. 263 of 2018, registered under Sections 341, 323, 325, 307, 379, 506, 427/34 of the Indian Penal Code and also under Section 3 (X) of the Scheduled Castes and Scheduled Tribes (Prevention of



Atrocities) Act.

Over row of the dues of the sweetmeat the appellants are said to have slated the informant and assaulted the informant, his son and wife by means of lathi and bamboo inflicting injury to them.

It is submitted by the learned counsel for the appellants that no such occurrence as alleged ever took place. They have been falsely implicated in this case due to dirty village politics. Allegation against the appellants are not specific rather general and omnibus in nature. Victims have sustained simple injury. There is no allegation of slating the informant in the name of his caste against the appellants. No offence under Section SC/ST Act is made out against the appellants. They have no criminal antecedent.

Learned Spl. P.P. for the State opposed the prayer for bail.

In the facts and circumstances of the case, the above named appellants are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-1, Banka in connection with Bounsi P.S. Case No. 263 of 2018 (G.R. No. 4115 of



2018), subject to condition as laid down under Section 438 (2) of the Cr.P.C.

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

(Prakash Chandra Jaiswal, J)

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