

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1558 of 2019

Arising Out of PS. Case No.-710 Year-2018 Thana- MUFFASIL District- West Champaran
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1. RUKHI YADAV @ KRISHNA YADAV Son of Saheb Yadav Resident of Western Kargahariya, Kaligagh O.P., P.S.- Bettiah Town, District- West Champaran, Bettiah.
2. Vikash Yadav Son of Rukhi Yadav @ Krishna Yadav Resident of Western Kargahariya, Kaligagh O.P., P.S.- Bettiah Town, District- West Champaran, Bettiah.
3. Shashi Yadav Son of Rukhi Yadav @ Krishna Yadav Resident of Western Kargahariya, Kaligagh O.P., P.S.- Bettiah Town, District- West Champaran, Bettiah.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Usha Kumar, Adv.

For the Respondent/s : Mr. Binay Krishna, Spl. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA

ORAL JUDGMENT

Date : 24-04-2019

Heard learned counsel for the parties.

This appeal under Section 14A(2) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 has been directed against the order dated 07.03.2019 passed by the Additional Sessions Judge, 1st -cum- Special Judge, West Champaran, Bettiah in connection with Bettiah Muffassil (Manuapul) P.S. Case No. 710 of 2018 registered under Sections 147, 149, 323, 324 and 379 of the Indian Penal Code and Section 3(i)(r)(w)(ii) (va) of SC/ST (POA) Act, whereby the prayer for pre-arrest bail of the appellants has been rejected.



Learned counsel appearing for the appellants submits that the appellants, who are of clean antecedents, are innocent and have not committed any offence. In fact, the dispute between the parties have been compromised and compromise petition has been filed by both the parties in the court below which is evident from the Annexure-2. Hence, the appellants may be granted the privilege of pre-arrest bail.

Considering the facts and circumstances of the case, let the above named appellants in the event of their surrender within a period of four weeks be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, 1st -cum- Special Judge, West Champaran, Bettiah in connection with Bettiah Muffassil (Manuapul) P.S. Case No. 710 of 2018 subject to the conditions laid down under Section 438(2) of the Cr.P.C.

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

(Arvind Srivastava, J)

brajesh/-

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