

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1510 of 2019

Arising Out of PS. Case No.-180 Year-2019 Thana- AGAMKUAN District- Patna

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1. TUNTUN YADAV Son of Krishna Gope Resident of Village-Chhoti Pahari, Devi Asthan, P.S-Agamkuan, District-Patna.
 2. Bholu Yadav @ Shankar Yadav Son of Late Madho Yadav Resident of Village-Chhoti Pahari, Devi Asthan, P.S-Agamkuan, District-Patna.
 3. Munna Gope, Son of Prasad Gope Resident of Village-Chhoti Pahari, Devi Asthan, P.S-Agamkuan, District-Patna.

... .. Appellant/s

Versus

1. THE STATE OF BIHAR Bihar
2. Rajendra Paswan Son of Late Atawari Paswan, Resident of Village-Chhoti Pahari, Devi Asthan, P.S-Agamkuan, District-Patna.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Nand Kishore Prasad

For the Respondent/s : Mr.Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL JUDGMENT

Date : 17-05-2019

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 12.03.2019 passed by learned Special Judge SC/ST Act, Patna in connection with Special Case No. 80 of 2019 registered under Sections 341, 323, 324, 307, 379, 504, 506 and 34 of the Indian Penal Code and Section 3(x)(r)(s) 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, there is case and counter case between the parties. No specific allegation is attributed to the appellants 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 Special Judge, SC/ST Act, Patna in connection with Agamkuan P.S. Case No. 180 of 2019 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)

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