

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1542 of 2019

Arising Out of PS. Case No.-31 Year-2015 Thana- DHURAIYA District- Banka

-
1. BANARSI YADAV Son of Late Panchu Yadav Resident of Village-Jagankitta, P.S- Dhoriya, District- Banka.
 2. Munilal Yadav Son of Late Garvu Yadav Resident of Village-Jagankitta, P.S- Dhoriya, District-Banka.
 3. Nawal Kishore Yadav, Son of Late Garvu Yadav Resident of Village-Jagankitta, P.S-Dhoriya, District-Banka.
 4. Sanjay Kumar Yadav @Sanjay Kumar @ Sanjay Yadav Son of Muni Lal Yadav Resident of Village-Jagankitta, P.S-Dhoriya, District-Banka.
 5. Mantu Yadav Son of Banarsi Yadav Resident of Village-Jagankitta, P.S- Dhoriya, District-Banka.
 6. Pankaj Yadav @ Dhuri Yadav Son of Banarsi Yadav Resident of Village-Jagankitta, P.S-Dhoriya, District-Banka.
 7. Anil Yadav Son of Banarsi Yadav Resident of Village-Jagankitta, P.S- Dhoriya, District-Banka.
 8. Raja Yadav @ Raj Kumar Yadav @ Raj Kumar, Son of Chandeshwari Yadav Resident of Village-Jagankitta, P.S-Dhoriya, District-Banka.
 9. Manjay @ Rajiv Ranjan Son of Nawal Kishore Yadav Resident of Village-Jagankitta, P.S-Dhoriya, District-Banka.
 10. Surendra Yadav Son of Banarsi Yadav Resident of Village-Jagankitta, P.S- Dhoriya, District-Banka.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Dhirendra Kumar

For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL JUDGMENT

Date : 23-05-2019

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 06.03.2019 passed by learned Additional Sessions Judge-I, Banka in connection with Dhoriya P.S. Case No. 31 of 2015 registered under Sections 147, 148, 149, 341, 323 and 504 of the Indian Penal Code and Section 3(1)(x) 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 antecedent, are innocent and have not committed any offence. In fact, the appellants have been made accused in this case on the basis of earlier case being Dhoriya P.S. Case No. 30 of 2015 filed by appellant No.2 against the informant and others, which is evident from Annexure-2. Moreover, the parties have settled their dispute by filing a compromise petition in the court below which is evident from Annexure-3. 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 Chief Judicial Magistrate-1, Banka in connection with Dhoriya P.S. Case No. 31 of 2015 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/-

Uploading Date	
Transmission Date	

