

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1668 of 2019**

Arising Out of PS. Case No.-1 Year-2019 Thana- SC/ST District- Nawada

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1. Nawlesh Yadav Son of Prakash Yadav Resident of Village - Kajikarat, P.S.- Akbarpur, Dist.- Nawada.
 2. Bishun Yadav@Vishun Yadav Son of Late Prasadi Yadav Resident of Village - Kajikarat, P.S.- Akbarpur, Dist.- Nawada.
 3. Prakash Yadav@Pragash Yadav Son of Bishun Yadav Resident of Village - Kajikarat, P.S.- Akbarpur, Dist.- Nawada.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Devendra Prasad Singh
For the Respondent/s	:	Mr. Usha Kumari 1

**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL JUDGMENT**

Date : 22-05-2019

Learned counsel of the appellants seeks permission to withdraw the application of appellant no. 1.

Permission is accorded.

Accordingly, the application of appellant no.1 is dismissed as withdrawn.

Heard learned counsel for the appellants and learned Spl. P.P. for the State.

The appellants no. 2 and 3 seeks pre-arrest bail in connection with SC/ST Nawada P.S. Case No. 01 of 2019 registered under Sections 341, 323, 504, 506, 379 of the Indian Penal Code and Section 3(i) (r) (s) of the Scheduled Castes and



Scheduled Tribes (Prevention of Atrocities) Act.

Submission of learned counsel for the appellants is that they are innocent and have falsely been implicated in the present case. There is land dispute between the parties for the alleged occurrence.

Learned Special P.P. appearing on behalf of the State vehemently opposed the prayer of the appellants by contending that the appellants are also accused in two other cases, as detailed in paragraph no.3 of the petition. There is direct allegation against the appellants of assault and passing urine at the face of the informant by calling his caste name.

Having heard both the sides, the facts and circumstances of the case and the nature of allegation, I am not inclined to allow the prayer of the appellants no. 2 and 3 for grant of anticipatory bail.

Accordingly, the appeal is dismissed.

(Arvind Srivastava, J)

shailendra/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

