

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1796 of 2019

Arising Out of PS. Case No.-348 Year-2017 Thana- SABAUR District- Bhagalpur

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1. Bajrangi Yadav Son of Late Jatto Yadav Resident of Village- Fazilpur, P.S.- Goradih, District- Bhagalpur.
 2. Devan Yadav @ Degan Yadav Son of Latto Yadav Resident of Village- Fazilpur, P.S.- Goradih, District- Bhagalpur.
 3. Anju Devi Wife of Devan Yadav @ Degan Yadav Resident of Village- Fazilpur, P.S.- Goradih, District- Bhagalpur.

... .. Appellants.

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ajay Kumar Jha
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

5 05-07-2019 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

The appellants seek pre-arrest bail in connection with Sabour (Goradih) P.S. Case No.348 of 2017 registered under Sections 354-B, 427, 448, 504 & 506/34 of the Indian Penal Code and Section 3 (i) (r) 3(2) (va) of the Scheduled Castes and Schedules Tribes (Prevention of Atrocities) Act, 1989.

Appellants are said to have slated the informant in the name of her caste arriving at her house and dragged out women folk of the house and harassed the informant branding her as dyne.



It is submitted by learned counsel for the appellants that no such occurrence as alleged ever took place. Appellants have been falsely implicated in the case due to land dispute as the land on which the informant has constructed house has been sold out to the uncle of the informant by Ajay Kumar and others in the year 2017. The aforesaid allegation levelled against the appellant is not specific rather general and omnibus in nature. The allegation of slating the informant in the name of her caste is said to have been made in the house of the informant and not in public view, hence no offence under Section SC/ST Act is made out against the appellants. Appellants have no criminal antecedent.

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

In the facts and circumstances of the case, the above named appellants, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, 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 3rd Addl. Sessions Judge cum Special Judge SC/ST Act, Bhagalpur in connection with Sabour (Goradih) P.S. Case No.348/2017,



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

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

(Prakash Chandra Jaiswal, J)

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