

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.4355 of 2018**

Arising Out of PS. Case No.-21 Year-2017 Thana- SC/ST District- Munger

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1. Umesh Prasad Yadav @ Umesh Yadav.
  2. Anuplal Kumar @ Anuplal Yadav.
- Both sons of Late Ram Swaroop Yadav, Both Resident of Village- Kailo,  
Police Laraiyatar, Dharhara, District- Munger.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr.Ratnakar Ambastha  
For the Respondent/s : Mr.Sri Sadanand Paswan

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      03-01-2019      This is an appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer of anticipatory bail dated 05.10.2018 passed by the learned Additional Sessions Judge-1<sup>st</sup>, Munger in connection with ABP No. 1333 of 2018 arising out of SC/ST P. S. Case No. 21 of 2017 registered under Sections 147, 148, 323, 448, 504 and 506 of the Indian penal Code and Section 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 .

Allegation against the appellants and several others is that the cow of the informant has entered inside the field of Laddu Yadav upon which accused persons including the appellants abused him by taking caste name and also assaulted by the butt



portion of the pistol as well as by lathi and *danda*.

Submission of learned counsel for the appellants is that no specific allegation has been attributed against the appellants regarding assault or abused him taking caste name rather the specific allegation is against accused Nitesh Kumar of assault.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellants, abovenamed, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-1<sup>st</sup>, Munger in connection with ABP No. 1333 of 2018 arising out of SC/ST P. S. Case No. 21 of 2017; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with further condition that appellants shall co-operate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.



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

**(Vinod Kumar Sinha, J)**

sujit/-

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