

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2084 of 2019

Arising Out of PS. Case No.-214 Year-2018 Thana- BARHARA KOTHI District- Purnia

1. JAY PRAKASH YADAV Son of Late Munnar Yadav Resident of village- Harirahi, P.S.- Barhara, Dist.- Purnea.
2. Bijendra Yadav @ Sonu S/O Jay Prakash Yadav Resident of village- Harirahi, P.S.- Barhara, Dist.- Purnea.
3. Kare Yadav @ Raju Yadav @ Karau Yadav S/O Jay Prakash Yadav Resident of village- Harirahi, P.S.- Barhara, Dist.- Purnea.
4. Sanjay Yadav S/O Laleshwar Yadav Resident of village- Harirahi, P.S.- Barhara, Dist.- Purnea.
5. Bajrangi Yadav S/o Jay Prakash Yadav Resident of village- Harirahi, P.S.- Barhara, Dist.- Purnea.
6. Chitranjan Yadav S/O Janardan Yadav Resident of village- Harirahi, P.S.- Barhara, Dist.- Purnea.
7. Ravindra Yadav@Ravidrar Yadav@Ravidrar Kumar Yadav S/O Chhanguri Yadav Resident of village- Harirahi, P.S.- Barhara, Dist.- Purnea.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

5 09-08-2019 Heard learned counsel for the appellants and learned Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the SC/ST Act against the refusal of prayer for anticipatory bail vide order dated 12.04.2019 passed by learned 1st Addl. Sessions Judge cum Special Judge, SC/ST Act, Purnea in Barhara P.S. Case No. 214 of 2018 registered under Sections 147, 149, 341, 323, 379,



504 and 506 of the Indian Penal Code and Section 3(I)(w) of the SC/ST Act.

Over row of sitting of children on the culvert located beside the house of the informant, all the accused persons slated the informant in filthy language and assaulted her and her family members by means of fist and lathi. They also tore her attire and snatched her Mangalsutra worth Rs.12000/-.

It is submitted by learned counsel for the appellants that no such occurrence as alleged ever took place. They have been falsely implicated in the case due to ulterior motive over petty dispute of sitting on the culvert. No one sustained any injury in the occurrence. The allegation levelled against the appellants is not specific rather general and omnibus in nature and there is no allegation of slating the informant in the name of caste against the appellants. Appellants have no criminal antecedent.

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

Having regard to the facts and circumstances of the case, let the above named appellants, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond



of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions Judge cum Special Judge, SC/ST Act, Purnea in connection with Barhara P.S. Case No. 214 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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

(Prakash Chandra Jaiswal, J)

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