

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL APPEAL (SJ) No.2167 of 2019**

Arising Out of PS. Case No.-112 Year-2018 Thana- JAMALPUR District- Darbhanga

Nand Kishore Yadav Son of Bindeshwar Yadav Resident of Village -  
Adhalayar, P.S.- Jamalpur, Adhallar, District- Darbhanga

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr. Prabhat Kumar Singh  
For the Respondent/s : Mrs. Usha Kumari 1

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA  
JAISWAL**

ORAL ORDER

3      10-07-2019                      Heard learned counsel for the appellant and learned  
Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act against the refusal of prayer of anticipatory bail vide order dated 25.03.2019 passed by learned 1<sup>st</sup> Addl. Sessions Judge cum Special Judge, SC/ST (POA) Act, Darbhanga in Jamalpur P.S. Case No. 112 of 2018 registered under Sections 147, 148, 149, 341, 323, 353, 333, 307 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

On arrival of the informant along with the police party in the village for apprehending the accused Raj Kishore



Yadav of Mahila P.S. Case No. 83 of 2018, eight named accused persons including the appellant and 30-35 unknown miscreants made attack on the police party by means of lathi, brick-bat and stone and made four of them injured.

It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. He happens to be member of the mob. He has been falsely implicated in this case due to dirty village politics. Allegation levelled against the appellant is not specific rather general and omnibus in nature. There is no allegation under SC/ST Act against the appellant. Appellant has no criminal antecedent.

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

In the facts and circumstances of the case, let the above named appellant be released on bail, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST (POA) Act, Darbhanga in connection with Jamalpur P.S. Case No. 112 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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