

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4080 of 2018

Arising Out of PS. Case No.-268 Year-2018 Thana- ARA NAWADA District- Bhojpur

Rajendra Yadav Son of Dukhi Yadav, Resident of Village Kalyanpur, P.S.
Bihia, District- Bhojpur.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sada Nand Roy

For the Respondent/s : Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 29-01-2019

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 01.09.2018 passed by learned 1st Addl. Sessions Judge, Bhojpur, Ara in ABP No. 1327 of 2018 arising out of Ara Nawada P.S.Case No. 268 of 2018 registered under Sections 302/34 of the Indian penal Code and Sections 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellant as per the FIR is that some members including the appellant of the Barat Party as well as members of bride side have committed murder of son of the informant and also abused by taking caste name.

Submission of learned counsel for the appellant is that he is not from the Barat side rather he is from the bride side, having no criminal antecedent and no specific allegation has been attributed



against him and considering the same, two other co-accused persons have been granted privilege of anticipatory bail a co-ordinate Bench of this Court vide judgment dated 11.12.2018 passed in Cr. Appeal (SJ) No. 3692 of 2018.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellant, 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) with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions Judge, Bhojpur, Ara in ABP No. 1327 of 2018 arising out of Ara Nawada P.S.Case No. 268 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

Accordingly, the appeal is allowed and the impugned order is set aside with respect to him.

(Vinod Kumar Sinha, J)

sujit/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

