

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL APPEAL (SJ) No.3136 of 2019

Arising Out of PS. Case No.-38 Year-2019 Thana- PANJWARA District- Banka

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1. RISHI YADAV @ RISHI KANT KUMAR Son of Kamli Yadav Resident of Village- Panjwara, Police Station- Panjwara, District- Banka.
 2. Biru Yadav @ Ranvir Yadav Son of Kamli Yadav Resident of Village- Panjwara, Police Station- Panjwara, District- Banka.
 3. Prahalad Yadav @ Prahlad Kumar Son of Biru Yadav @ Ranvir Yadav Resident of Village- Panjwara, Police Station- Panjwara, District- Banka.
 4. Babita Devi @ Kari Devi Wife of Karan Yadav Resident of Village- Panjwara, Police Station- Panjwara, District- Banka.
 5. Anita Devi Wife of Late Dinesh Yadav Resident of Village- Panjwara, Police Station- Panjwara, District- Banka.
 6. Shyama Devi Wife of Biru Yadav @ Ranvir Yadav Resident of Village- Panjwara, Police Station- Panjwara, District- Banka.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ajay Mukherjee

For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

6 16-11-2019 Heard learned counsel for the Appellants and learned counsel 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 25.06.2019 passed by Additional Sessions Judge - 1st, Banka in connection with A.B.P. No. 790 of 2019 arising out of Panjwara P.S. Case No. 38 of 2019 for the offence registered under Sections 147, 148, 149, 341, 323, 427, 354A, 425, 379 and 504 of the Indian Penal Code and Section 3(i) (r) 3 (2) of the SC/ST Act.

Learned counsel for the Appellants submits that the entire allegation against the appellants is false and frivolous and there is case and counter case between the parties. It is further submitted that the allegation under Section 354(A) also super added only to make the charge graver.

Having regard to facts and circumstances of the case, let the appellants, namely, Rishi Yadav @ Rishi Kant Kumar, Biru Yadav @ Ranvir Yadav, Prahalad Yadav @ Prahlad Kumar, Babita Devi @ Kari Devi, Anita Devi and Shyama Devi in the event of their arrest/surrender before the learned court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Sessions Judge- 1st, Banka in connection with A.B.P. No. 790 of 2019 arising out of Panjwara P.S. Case No. 38 of 2019, subject to the conditions as laid down



under Section 438(2) of the Code of Criminal Procedure.

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

(Anjana Mishra, J)

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