

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3853 of 2019

Arising Out of PS. Case No.-26 Year-2019 Thana- BARHAT District- Jamui

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1. RAJESH YADAV @ RAJESH KUMAR YADAV @ ABHISHEK YADAV
Son of Tripurari Yadav Resident of Village- Bhandra, Police Station- Barhat,
District- Jamui.
 2. Tripurari Yadav Son of Yamuna Yadav Resident of Village- Bhandra, Police
Station- Barhat, District- Jamui.
 3. Amerika Yadav Son of Chano Yadav Resident of Village- Bhandra, Police
Station- Barhat, District- Jamui.
 4. Vakil Yadav Son of Janki Yadav Resident of Village- Bhandra, Police
Station- Barhat, District- Jamui.
 5. Muni Yadav Son of Janki Yadav Resident of Village- Bhandra, Police
Station- Barhat, District- Jamui.
 6. Sumit Yadav Son of Sahdeo Yadav Resident of Village- Bhandra, Police
Station- Barhat, District- Jamui.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

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

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

ORAL ORDER

2 12-09-2019 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 25.07.2019 passed by learned 1st Addl. Sessions Judge
cum Special Judge, Jamui in Barhat P.S. Case No. 26 of 2019
registered under Sections 1147, 148, 149, 323 and 307 of the



Indian Penal Code and Section 3(i)(v) of the SC/ST Act.

Over brawl ensued between the children on Holi festival, appellant Rajesh Kumar Yadav assaulted on the head of Pankaj Das by means of butt of the pistol and other accused persons assaulted other persons by means of lathi and they slated the informant and others in the name of their caste.

It is submitted by learned counsel for the appellants that no such occurrence as alleged ever took place. Appellants have been falsely implicated in the case due to altercation taken place between the children on Holi Festival. The allegation levelled against the appellants is not specific rather general and omnibus in nature. There is no allegation of slating the informant and others in the specific name of their caste against the appellants. None has sustained any injury in the occurrence. 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, Jamui in connection with Barhat P.S. Case No. 26 of 2019, 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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