

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4855 of 2018

Arising Out of PS. Case No.-22 Year-2018 Thana- LODIPUR District- Bhagalpur

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1. Sanjay Yadav @ Sanjay Kumar Yadav, son of Mitto Yadav
 2. Karu Yadav, son of Najo Yadav
 3. Rohit Kumar Yadav @ Rohit Yadav, son of Guddu Yadav
- All are resident of village- Basantpur, P.S. - Lodipur, and Distt.- Bhagalpur
- Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 05-02-2019

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 19.09.2018 passed by the learned 3rd Addl. District and Sessions Judge-cum-Special Judge, Bhagalpur in ABP No. 1488 of 2018 arising out of Lodipur P.S. Case No. 22 of 2018 registered under Sections 147, 148, 149, 307, 323 and 504 of the Indian Penal Code, 27 of the Arms Act and Sections 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation as per the FIR is that while the cultural programme was going on on the eve of Shivratri puja, the appellants and others came variously armed and fired as a result informant sustained injury.



Submission of learned counsel for the appellants is that no specific allegation has been attributed against any of the appellants and there is general and omnibus allegation against them and they have no criminal antecedent.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellants, 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) each with two sureties of the like amount each to the satisfaction of the learned 3rd Addl. District and Sessions Judge-cum-Special Judge, Bhagalpur in ABP No. 1488 of 2018 arising out of Lodipur P.S.Case No. 22 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 them.

(Vinod Kumar Sinha, J)

sujit/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

