

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4184 of 2019

Arising Out of PS. Case No.-112 Year-2019 Thana- GHOSI District- Jehanabad

1. RAJU YADAV Son of Subelal Yadav Resident of Village - Sekhpura, P.S.- Ghosi, Distt - Jehanabad.
2. Chhote Kumar Son of Subelal Yadav Resident of Village - Sekhpura, P.S.- Ghosi, Distt - Jehanabad.
3. Ranjeet Kumar Son of Subelal Yadav Resident of Village - Sekhpura, P.S.- Ghosi, Distt - Jehanabad.
4. Santosh Kumar Son of Suresh Yadav Resident of Village - Sekhpura, P.S.- Ghosi, Distt - Jehanabad.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Indu Shekhar Dwivedi
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 16-12-2019 Heard the parties.

By way of this memo of appeal, preferred under Section 14(A) of the Scheduled Caste/Scheduled Tribes (Prevention of Atrocities) Act, 1989, appellants seek for setting aside the order dated 29.7.2019 passed in Ghosi P.S.Case No.112 of 2019 for the offences punishable under Section 147,148,341, 323, 354, 307, 504, 506of the Indian Penal Code and Section 3(x) of SC/ST (POA) Act by the learned 1st Jehanabad whereby and where-under, the appellants' application for grant of anticipatory bail has been rejected.



As per FIR, one co-accused Ajit Kumar tried to outrage the modesty of the minor daughter of the informant and further allegation is that thereafter the appellants and other accused persons came variously armed and abused him and against one Ramesh Prasad there is allegation that he assaulted by *Garasa* causing injury on his head and when the family members came to save him, all the accused persons assaulted his daughter and son-in-law and his son causing injury to them.

Submission of the learned counsel for the appellants is that no specific allegation has been attributed against them. There is no allegation of abuse by taking caste name or outraging the modesty against these appellants. There is case and counter case also.

Heard learned Special P.P., who has opposed the prayer for bail on the ground that after investigation charge sheet has been submitted against the co-accused Ajit Kumar..

Having heard both sides, considering the facts and circumstances of the case, so far these appellants are concerned, this appeal is allowed and the impugned order is set aside, let the appellants, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from the date of receipt of the order, be released on bail



on furnishing bail bonds of Rs.25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge Ist, Jehanabad in connection with Ghosi P.S.Case No.112 of 2019, subject to condition as laid down under Section 438 of Cr.P.C.

(Vinod Kumar Sinha, J)

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