

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4445 of 2018

Arising Out of PS. Case No.-278 Year-2018 Thana- FATEHPUR District- Gaya

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1. Sahdeo Yadav
 2. Chandeshwar Yadav,
 3. Sitaram Yadav @ Sitaram Prasad Yadav,
All Sons of Sibu Yadav,
 4. Indradeo Yadav, S/o Prasadi Yadav,
All resident of Village- Dundu, Fatehpur, P.S- Fatehpur, Gurpa OP, District-
Gaya.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Kiran Sinha

For the Respondent/s : Mr.Sri Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 17-01-2019

This is an appeal under Section 14(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer of anticipatory bail dated 09.10.2018 passed by the Exclusive Special Judge, SC/ST, Gaya in ABP No. 218 of 2018 arising out of Fatehpur (Gurpa OP) P.S.Case No. 278 of 2018 registered under Sections 308, 323, 341 and 504/34 of the Indian penal Code and Sections 3(1)(r) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 .



Allegation against the appellants, four in numbers, is of assaulting by *lathi*, *danda* and abusing the informant by caste name.

Submission of learned counsel for the appellants is that no specific allegation has been attributed either of assault or of abusing by caste name to the informant.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let appellants, abovenamed, 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 Exclusive Special Judge, SC/ST, Gaya in connection with Fatehpur (Gurpa OP) P.S. Case No. 278 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with further condition that appellants shall co-operate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to



move for cancellation of their bail bonds.

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	

