

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4177 of 2019

Arising Out of PS. Case No.-120 Year-2019 Thana- PARAIYA District- Gaya

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1. SANTU KUMAR @ SANTU YADAV S/O Naresh Yadav Resident of Village- Khaira, P.S.- Paraiya, District- Gaya.
 2. Anil Yadav S/O- Vasudev Yadav Resident of Village- Khaira, P.S.- Paraiya, District- Gaya.
 3. Bachu Yadav @ Bachchu Yadav S/O- Late Rampati Yadav @ Kishori Yadav Resident of Village- Khaira, P.S.- Paraiya, District- Gaya.
 4. Mantu Kumar @ Mintu Yadav S/O- Suresh Yadav Resident of Village- Khaira, P.S.- Paraiya, District- Gaya.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Kiran Sinha
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 15-10-2019 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 31.08.2019 passed by learned Exclusive Special Judge, SC/ST, Gaya in Paraiya P.S. Case No. 120 of 2019 registered under Sections 341, 323, 337 and 504/34 of the Indian Penal Code and Section 3(i)(r)(s) of the SC/ST Act.

Appellant Anil Yadav arriving at the house of the informant slated and assaulted him over not filling well by the



informant located in his land. When his grand father tried to persuade him other accused persons also arrived there and assaulted the informant and his grand mother. They also pelted stones inflicting injury to the informant.

It is submitted by learned counsel for the appellants that the appellants have no concern with the aforesaid occurrence. They have been falsely implicated in the case merely because they had asked the informant to plug the flowing of the water on their land from the well of the informant. The allegation levelled against the appellants is not specific rather general and omnibus in nature. None has sustained injury in the occurrence. There is no allegation of slating the informant in the name of his caste against the appellants. 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 Exclusive Special



Judge, SC/ST, Gaya in connection with Paraiya P.S. Case No.
120 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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