

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4341 of 2019

Arising Out of PS. Case No.-331 Year-2013 Thana- DAUDNAGAR District- Aurangabad

1. RAMKRIT YADAV @ RAM KRIT SINGH Son of Late Raghu Yadav Resident of Village- Old City, Ward No.15, P.S.- Daudnagar, District- Aurangabad.
2. Ashok Yadav @ Ashok Kumar Singh S/o Ramkrit Yadav @ Ram Krit Singh Resident of Village- Old City, Ward No.15, P.S.- Daudnagar, District- Aurangabad.

... .. Appellants.

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Bhaskar Shankar
For the Respondent/s : Mrs. Usha Kumari I

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 17-10-2019 Heard learned counsel for the appellants and learned Special Public Prosecutor for the State.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer of anticipatory bail vide order dated 29.08.2019 passed by learned 1st Additional Sessions Judge cum Special Judge, Aurangabad in connection with Daudnagar P.S. Case No.331 of 2013 registered under Sections 307, 341, 323, 504 & 506/34 of the Indian Penal Code and Section 3(1) (r) (w) (x) (s) 3 (2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



Over row of grazing the creeper of the informant by the she-buffalo of the appellants, appellants Ramkrit Yadav and Ashok Yadav started slating and assaulting her. In the meantime, his son also arrived there and forbade from slating then the appellants assaulted his son by means of lathi.

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 due to petty dispute. The allegation levelled against the appellants is not specific rather general and omnibus in nature. Informant has not sustained any injury in the occurrence. The son of the informant has sustained simple injury. Appellant Ram Krit Yadav is aged about 75 years and suffering from Leprosy. Appellant Ashok Yadav is a military personnel. Appellants have no criminal antecedent.

Learned Spl. PP for the State opposed the prayer for bail.

In the facts and circumstances of the case, the above named appellants, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the



like amount each to the satisfaction of the learned 1st Additional Sessions Judge cum Special Judge, Aurangabad in connection with Daudnagar P.S. Case No.331 of 2013, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Accordingly, the impugned order is set aside and this appeal is allowed.

(Prakash Chandra Jaiswal, J)

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