

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3927 of 2018**

Arising Out of PS. Case No.-59 Year-2018 Thana- LAUKAHA District- Madhubani

1. Jugut Yadav, Son of Thakai Yadav,
2. Krishnadeo Yadav @ Kishan Deo Yadav Son of Lochan Yadav
3. Niras Yadav @ Niraj Yadav Son of Jugai Yadav,
4. Kamlesh Yadav Son of Dhanik Lal Yadav
5. Rajesh Yadav Son of Dhanik Lal Yadav
6. Mahendra Yadav Son of Radhey Shyam Yadav
7. Jitendra Yadav @ Jitendra Kumar Yadav Son of Ramji Yadav,
8. Dharm Nath Yadav Son of Ramji Yadav
9. Rajan Yadav @ Rajan Kumar Yadav Son of Sunil Yadav
10. Pawan Yadav Son of Ghuran Yadav,
11. Raj Kumar Yadav Son of Bishan Yadav
12. Ganga Prasad Yadav Son of Thakai Yadav,
13. Bablu Yadav Son of Yogendra Yadav, Resident of Village- Jokahi, P.S. Laukaha, District- Madhubani.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Gagan Deo Yadav
For the Respondent/s : Mr.Sri Sadanand Paswan

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT**

Date : 07-03-2019

This is an appeal under Section 14A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer of anticipatory bail dated 18.09.2018 passed by the learned 1st Addl. Sessions Judge-cum-Special Judge, Madhubani in ABP No. 1014 of 2018 arising out of Laukaha P.S.Case No. 59 of 2018 registered under Sections



147, 148, 149, 307, 323, 324, 337, 341 and 504 of the Indian penal Code and Sections 3(i)(r)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellants is of assaulting the informant and specific allegation of assault is against appellant nos. 3, 6 and 8.

Submission of learned counsel for the appellants is that there is case and counter case in between the parties and no specific allegation has been attributed against the appellants, except appellant nos. 3, 6 and 8.

Heard learned Spl. P.P also who has opposed the prayer for anticipatory bail on the ground that there is specific allegation against appellant nos. 3, 6 and 8.

Having heard both sides and in view of the facts and circumstances, as stated above, so far appellant nos. 3, 6 and 8 are concerned, I am not inclined to grant privilege of anticipatory bail to them rather they should surrender within a period of six weeks from the date of receipt of a copy of this order and make prayer for regular bail, which shall be considered on its own merit without being prejudiced by this order.



So far as rest of the appellants are concerned, 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, they are directed to 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 1st Addl. Sessions Judge-cum-Special Judge, Madhubani in ABP No. 1014 of 2018 arising out of Laukaha P.S.Case No. 59 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 except appellant nos. 3, 6 and 8 .

(Vinod Kumar Sinha, J)

sujit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	

