

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4057 of 2018

Arising Out of PS. Case No.-14 Year-2018 Thana- SC/ST District- Khagaria

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1. Bharat Yadav @ Bharat Kumar Yadav and Ors
 2. Dharmendra Yadav, Both are Sons of Janardan Yadav, null
 3. Mritunjay Yadav @ Mritunjay Kumar, Son of Awadh Kishore Yadav, All are resident of Village- Rohiyar, Police Station- Mansi, District- Khagaria.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Viveka Nandsingh

For the Respondent/s : Mr.Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 22-01-2019

By way of this memo of appeal, preferred under Section 14(A) of the Scheduled Caste/Scheduled Tribes (Prevention of Atrocities) Act, 1989, appellant seek for setting aside the order dated 30.7.2018 passed in Special A.B.A. No.48 of 2018 arising out of Khagaria SC/ST P.S.Case No.14 of 2018 for the offences punishable under Section 341, 323, 353, 504/34 of the Indian Penal Code and Section 3(i)(r)(s) of SC/ST Act by the learned 1st Addl. Sessions Judge cum Special Judge, Khagaria whereby and where-under, the appellant's application for grant of anticipatory bail has been rejected.

Allegation against the appellant no.1 is of abusing the informant by caste name and also of snatching the register from



him. The informant appears to be Panchayat Secretary and there are allegation against the appellant nos.2 and 3 also.

Submission of the learned counsel for the appellants is that the informant was interested in becoming Panchayat Secretary and the appellant no.1 was also a candidate for Panchayat Secretary; due to that he has been falsely implicated in this case and others were also supporters.

Heard learned Special P.P. also.

In view of allegation , so far appellant no.1 Bharat Yadav @ Bharat Kumar Yadav is concerned, I am not inclined to grant anticipatory bail to him however, he is directed to surrender before the learned Special Judge within a period of six weeks from the date of receipt of the order and make prayer for regular bail.

So far appellant nos. 2 Dharmendra Yadav and 3. Mritunjay Yadav @ Mritunjay Kumar is concerned, this appeal is allowed against them and the impugned order is set aside against them, let the appellants, above named, in the event of his 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 1st Additional Sessions Judge cum Special Judge, Khagaria in connection with A.B.A. No.48 of 2018 arising out of Khagaria SC/ST P.S.Case No.14 of 2018 subject to condition as laid down under Section 438 of Cr.P.C.

Accordingly, with above direction, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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AFR/NAFR	NAFR
CAV DATE	NA
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