

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4568 of 2018

Arising Out of PS. Case No.-109 Year-2018 Thana- LAXMIPUR District- Jamui

-
-
1. Murari Yadav @ Murari Prasad Yadav Son of Kaleshwar Yadav,
 2. Nand Lal Yadav Son of Kaleshwar Yadav,
 3. Yogendra Yadav Son of Kaleshwar Yadav,
 4. Bhavisya Yadav @ Bhawesh Yadav @ Bhawesh Kumar, Son of Nandlal Yadav,
 5. Prabhu Ram Yadav @ Parshuram Yadav @ Parshuram Kumar, Son of Nandlal Yadav,
 6. Mithilesh Yadav @ Mithlesh Kumar, Son of Yogendra Yadav,
 7. Shambhu Yadav Son of Bhuneshwar Yadav,
 8. Shairu Yadav @ Raghu Nandan Kumar, Son of Shambhu Yadav,
 9. Girish Yadav Son of Sahab Yadav,
- All Resident of Village- Pawana, P.S. Laxmipur, District- Jamui.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Umesh Prasad
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT
Date : 31-01-2019

This is an appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer of anticipatory bail dated 25.10.2018 passed by the learned A.D.J. 1st, Jamui in ABP No. 384 of 2018 arising out of Laxmipur P.S.Case No. 109 of 2018 registered under Sections 143, 323, 341, 379, 448 and 504/34 of the Indian penal Code and Sections 3(1-r)/3(iva) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellants is of assaulting after



entering into the house caused injury to the informant.

Submission of learned counsel for the appellants is that appellant no. 1 is a teacher and appellants no. 2 to 9 are students and allegation is false and concocted as no case is made out under Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellants, 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 learned A.D.J. 1st, Jamui in ABP No. 384 of 2018 arising out of Laxmipur P.S.Case No. 109 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.

(Vinod Kumar Sinha, J)

sujit/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

