

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.346 of 2020**

Arising Out of PS. Case No.-129 Year-2016 Thana- LAUKAHI District- Madhubani

DINESH KUMAR YADAV @ DINESH YADAV S/o Budhan Yadav R/o
village- Kachnarawa, P.S.- Laukahi, District- Madhubani

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ratanakar Jha

For the Respondent/s : Mr.Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

2 06-10-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For
Orders” under the orders of Hon’ble the Chief Justice.

Heard the parties.

The matter relates to grant of anticipatory bail to the
appellant in connection with Laukahi P.S. Case No. 129 of 2016
registered for the offences under Sections 147, 149, 341, 323,
448, 354, 307, 379, 380, 504 of the Indian Penal Code and
Section 3(i)(x) of the SC/ST (Prevention of Atrocities) Act,
2015.

Allegedly, the accused persons having known the
informant of a helpless schedule caste lady, started ploughing
the field of the informant. While the informant saw it, she



prevented from doing so as a result of which, the accused persons calling caste name, abused her and ran to assault. It is also alleged that Rs. 30,000/- was taken away by the accused persons.

It has been submitted on behalf of the appellant that the appellant has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the appellant. The appellant has falsely been implicated in the present case. General and omnibus allegation has been made against the appellant. No specific overt act is alleged against the appellant. The alleged occurrence has not taken place within the public view. Hence, no offence under the provisions of SC/ST Act is attracted in the present case.

On behalf of the State, it is submitted that the appellant is named in the Complaint Case/F.I.R.

In view of the aforesaid facts and circumstances, the order dated 04-01-2020 passed by learned Additional District & Sessions Judge-Ist-cum-Special Judge, Madhubani in Laukahi P.S. Case No. 129 of 2016 is set aside. The present Criminal Appeal is *allowed*.

Accordingly, let the appellant, above named, in the event of arrest or surrender before the learned court below



within a period of eight weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-Ist-cum-Special Judge, Madhubani in connection with Laukahi P.S. Case No. 129 of 2016.

(Sudhir Singh, J)

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