

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4423 of 2019

Arising Out of PS. Case No.-156 Year-2019 Thana- KAUWAKOL District- Nawada

1. K. B. YADAV Son of Garib Yadav Resident of Village - Nawadih, P.S.- Rupau, District- Nawada
2. Rabi Yadav Son of Kameshwar Yadav @ Parmeshwar Yadav Resident of Village - Nawadih, P.S.- Rupau, District- Nawada

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sheo Kumar Prasad

For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 06-01-2020 Heard the parties.

By way of this memo of appeal, preferred under Section 14(A) of the Scheduled Caste/Scheduled Tribes (Prevention of Atrocities) Act, 1989, appellant seeks for setting aside the order dated 31.8.2019 passed in Kawakole (Rupau) P.S.Case No.156 of 2019 for the offences punishable under Sections 147,149, 341, 323,307, 354(B), 448, 379, 504 and 506 of the Indian Penal Code and Section 3(i)(r) of SC/ST Act by the learned Addl. District and Sessions Judge Ist Spl Judge, Nawada whereby and where-under, the appellants' application for grant of anticipatory bail has been rejected.

As per FIR, one Guddi Yadav has abused the informant by taking caste name and further allegation against the appellants and other accused persons is that they came variously armed and assaulted one Radha Devi and Bachi Devi causing injury to them and when they were taken to the hospital,



other accused persons along with 20 named accused persons also assaulted to Rajaram Rajbanshi and Soni Rajbanshi.

Submission of the learned counsel for the appellants is that no specific allegation has been attributed against any of the appellants either of abusing by taking caste name or of assault. Specific allegation is against one Guddu Yadav and others.

Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case, this appeal is allowed and the impugned order is set aside, let the appellants, above named, in the event of their arrest or surrender before the learned court below, 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 Addl. District and Sessions Judge Ist cum Spl. Judge, Nawada in connection with Kawakole (Rupau) P.S. Case No.156 of 2019 subject to condition as laid down under Section 438 of Cr.P.C.

With the above direction, this appeal is allowed.

(Vinod Kumar Sinha, J)

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