

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4680 of 2019**

Arising Out of PS. Case No.-49 Year-2018 Thana- LAUKAHA District- Madhubani

1. AMIT YADAV Son of Rup Narayan Yadav
2. Nitish Yadav Son of Rup Narayan Yadav
Both are Resident of Village- Dhanukhi, P.S.- Lalmaniya (O.P.) District- Madhubani.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Gagan Deo Yadav, Adv
For the Respondent/s	:	Mr.Binay Krishna, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 17-02-2020 Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 05.09.2019 in A.B.P. No.473 of 2019 arising out of Laukaha (Lalmaniya) P.s.Case No.49 of 2018 G.R.No.25 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge SC/ST, Madhubani registered under Sections 341,323,436,504,506,354(B) of the Indian Penal Code and Sections 3(i)(r),3(i)(w)(i),3(2)(va) of the Scheduled Castes and Scheduled Tribes Act.

Submission is that appellants are not named in the FIR whereas some others are named in the FIR. Name of the



appellants surfaced during investigation whereas the FIR does not speak that some unknown person were also involved in the occurrence alleged.

Considering the aforesaid facts, the appellants deserve protection of law, hence, let the appellants, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further the appellants shall fully cooperate with the investigation/trial of the case and also the appellants shall not leave the country without permission of the learned Trial Court, failing which the court below shall be at liberty to cancel the bail bond of the appellants.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

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