

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4771 of 2019

Arising Out of PS. Case No.-48 Year-2017 Thana- COMPLAINT CASE District- Supaul

-
-
1. SHAILENDRA PRASAD YADAV @ SADHU @ SHAILENDRA PRASAD YADAV SADHU Son of Banilal Yadav
 2. Rajnish Kumar Son of Shailendra Prasad Yadav @ Sadhu
 3. Ratnesh Kumar @ Tunia Son of Shailendra Prasad Yadav @ Sadhu
 4. Udyanand Yadav @ Uddi Yadav @ Uddo Yadav Son of Late Mahavir Yadav All Resident of Village- Machha (Kushha), P.S.- Triveniganj, District- Supaul.

... .. Appellant/s

Versus

1. The State of Bihar
2. Prabhu Paswan S/O Late Ramdhani Paswan Resident of Village - Machha (Kushha), PS Triveniganj, District- Supaul.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Diwakar Prasad Singh, Adv
For the Respondent/s : Mr.Usha Kumari 1, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 20-02-2020 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 27.08.2019 in A.B.P. No.956 of 2019 arising out of Complaint Case No.48C/17 passed by the learned Additional Sessions Judge-1-cum-Special Judge SC/ST, Supaul registered under Sections 341,323,379,504,34 of the Indian Penal Code and Sections 3(1)(r) of the Scheduled Castes and Scheduled Tribes Act.



Title Suit No.168 of 2019 is going on between the parties in the court of learned Civil Judge, Senior Division, Supaul. A copy of the Complaint is at Annexure-7.

In the aforesaid background, the complaint based allegation reveals that the appellants allegedly committed abuse and assault.

Submission is that just to pressurize, false complaint case has been filed. The appellants have got no criminal antecedent.

Considering the background of allegation, non-grant of protection of law to the appellants would result in miscarriage of justice, 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)

Nitesh/-

U		T	
---	--	---	--

