

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.716 of 2020

Arising Out of PS. Case No.-27 Year-2019 Thana- SC/ST District- Kaimur (Bhabua)

HIRDAY YADAV @ UDAY NARAYAN YADAV S/o Late Ramadhar Yadav
R/o village- Choor Lohara, P.S.- Chainpur, District- Kaimur at Bhabua

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Tribhuwan Narayan, Adv.

For the Respondent/s : Mr.Sadanand Paswan, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 05-03-2021 Heard both sides.

The appellant filed this appeal under Section 14(A)(2) of the S.C./S.T. Act against the order dated 27.01.2020 passed by learned Additional Sessions Judge I-cum-Special Judge, Kaimur at Bhabua by which the anticipatory bail of the appellant has been rejected in S.C./S.T. Bhabua P.S. Case No.27 of 2019 registered under Sections 341, 323, 354, 504 and 506 of the Indian Penal Code and under Section 3(1)(r)(s)(w), 3(2)(Va) of the S.C./S.T.(POA) Act.

The informant alleged that while she was going to withdraw the money from the Bank, she came across with the appellant who asked about her son. When the informant wanted to know the reason, the appellant was said to have disclosed that his son got bitten by Hadda. The informant is said to have disclosed that she would persuade her son not to do any such act



in future but the appellant became infuriated, abused and assaulted the informant.

The learned counsel for the appellant submits that some verbal altercation took place on account of quarreling between the children of two families but taking advantage of the special status, the informant lodged this case only to harass the appellant. The appellant did not act or did any act with an intention to humiliate her.

Taking into consideration the facts aforesaid and the nature of allegation made against the appellant and the fact that there was quarreling between the children of two families, the appeal is allowed, the order dated 27.01.2020 is set aside and let the appellant, above named, in the event of his arrest or surrender within a period of four weeks be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge I-cum-Special Judge, Kaimur at Bhabua in connection with S.C./S.T. Bhabua P.S. Case No.27 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Prabhat Kumar Jha, J)

