

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL APPEAL (SJ) No.1226 of 2020**

Arising Out of PS. Case No.-28 Year-2019 Thana- BARHAT District- Jamui

DEVANAND YADAV @ DEVNANDAN YADAV S/o Adhik Yadav R/o  
village- Bhadra Tola, Sugba Mahua, P.S.- Barhat, District- Jamui

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr.Niranjan Parihar  
For the Respondent/s : Mr.Sadanand Paswan

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

2      20-02-2021                      Heard learned counsel for the appellant and learned  
Special P.P. for the State.

The matter relates to grant of anticipatory bail to the appellant in connection with a case registered for the offences under Sections 147, 148, 149, 341, 323, 504, 307 of the Indian Penal Code and Sections 3(i)(v) of the SC/ST (Prevention of Atrocities) Act, 1989.

The prosecution case, in short is that the accused persons including the appellant abused the informant by taking his caste name and co-accused Lakhan Yadav assaulted the informant by rod on his head and other accused persons assaulted the informant by lathi.

It has been submitted on behalf of the appellant that the appellant has got no criminal antecedent and 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. Specific overt act is alleged against the co-accused, namely, Lakhan Yadav. The alleged occurrence has not taken place within public view. Hence no offence under the SC/ST Act is attracted in the present case.

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

In view of the aforesaid facts and circumstances, the order dated 15.02.2020, passed by the learned 1<sup>st</sup> Additional District & Sessions Judge, Jamui vide A.B.P. No.117 of 2020 in connection with Barhat P.S. case No.28 of 2019, is set aside. The criminal appeal is allowed.

Accordingly, the appellant, above named, in the event of arrest/surrender before the learned court below within a period of six 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 1<sup>st</sup> Additional District & Sessions Judge, Jamui in connection with Barhat P.S. case No.28 of 2019.

**(Sudhir Singh, J)**

Narendra/-

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