

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2423 of 2021

Arising Out of PS. Case No.-22 Year-2020 Thana- SC/ST District- Munger

-
-
1. Pankaj Yadav, aged about 23 years, male, S/o Ram Bilash Yadav @ Bilash Yadav
 2. Sentu Kumar @ Santu Kumar, aged about 18 years, male, S/o Ram Bilash Yadav @ Bilash Yadav
 3. Angad Kumar, aged about 20 years, male, S/o Ram Bilash Yadav @ Bilash Yadav
 4. Ram Bilash Yadav @ Bilash Yadav, aged about 50 years, male, S/o Munna Yadav

All are R/o- Village-Pirpahad Taufir, P.S.- Mufassil, District- Munger.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Prashant Kumar, Adv.

For the Respondent/s : Mr. Binay Krishna, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 24-08-2021 Heard Mr. Prashant Kumar, the learned

Advocate for the appellants and Mr. Binay Krishna, the

learned Special Public Prosecutor for the State.



The appellants have challenged the order dated 28.09.2020 passed by the learned Addl. Sessions Judge-I, Munger in connection with Munger SC/ST P.S. Case No. 22 of 2020, instituted for the offences under Sections 341, 323, 504, 506, 337, 338 and 34 of the Indian Penal Code and Section 3(1)(r)(s) of the S.C./S.T. (Prevention of Atrocities) Act, 1989, whereby their prayer for grant of anticipatory bail has been rejected.

The accusation in the F.I.R. is of the appellants having resorted to brickbats and also made an attempt to demean the members of the prosecution party.

It has been submitted on behalf of the appellants that none of the acts complained against them was in public view and that there is no specific accusation against anyone of them. It has further been submitted that under similar circumstances many other accused persons have been granted the privilege of anticipatory bail. The accusation against the appellants is of a very trivial nature.



In the background of the aforesaid facts, it has been urged that the accusation under the S.C./S.T. (Prevention of Atrocities) Act is not at all made out against the appellants.

For the reasons afore-stated, the order dated 28.09.2020, referred to above, is set-aside.

The appellants, above-named, in the event of their arrest or surrender before the learned Court below within a period of eight weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-I, Munger in connection with Munger SC/ST P.S. Case No. 22 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The appeal stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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

