

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1999 of 2020

Arising Out of PS. Case No.-1 Year-2020 Thana- BABUBARHI District- Madhubani

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1. YAMUNA PRASAD YADAV S/o Late Chhatu Yadav R/o Village-Ramnipatti, Ward No. 16, P.S.- Babubarhi, District- Madhubani, Pin-847224.
 2. Ratnesh Yadav @ Ratnesh Ranjan S/o Yamuna Prasad Yadav R/o Village-Ramnipatti, Ward No. 16, P.S.- Babubarhi, District- Madhubani, Pin-847224.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Ms.Roona

For the Respondent/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-01-2021 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

The present memo of appeal has been filed on behalf of the appellants for grant of anticipatory bail against the order dated 12.08.2020 passed by learned 1st Additional Sessions Judge, Madhubani in connection with Babubarhi P.S. Case No. 01 of 2020 under Sections 341, 323, 354, 504 and 506/34 of the Indian Penal Code and section 3(i)(r), 3(2)(Va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, whereby the prayer for anticipatory bail of the appellants was rejected.

Prosecution case in brief is that Yamuna Prasad Yadav appellant no. 1 is alleged to have abused the mother of



informant by calling her caste name and also assaulted her with lathi. When informant and his wife tried to rescue her, they were also assaulted by Ratnesh Yadav appellant no. 2.

It is submitted on behalf of the appellants that informant is next door neighbour of the appellants and the informant deliberately drain out dirty water in the land of appellants. When the appellants objected to this, altercation took place between the parties. No case under SC/ST is made out. No injury has been caused to anyone. Appellants have got clean antecedent.

Considering the aforesaid facts, this appeal is allowed. The impugned order dated 12.08.2020 passed by learned 1st Additional Sessions Judge, Madhubani is set aside.

Let the appellants above-named, in the event of their arrest/surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge, Madhubani in connection with Babubarhi P.S. Case No. 01 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Singh, J)

vinita/-

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