

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2139 of 2020

Arising Out of PS. Case No.-14 Year-2020 Thana- SC/ST District- Siwan

1. Nagendra Yadav, aged about 22 years (M), Son of Narsingh Yadav Resident of Village- Parhiya, Police Station- Raghunathpur, District- Siwan.
2. Barma Yadav @ Bramha Yadav, aged about 36 years (M), Son of Shiv Yadav Resident of Village- Parhiya, Police Station- Raghunathpur, District- Siwan.
3. Keshav Yadav, aged about 40 years (M), Son of Shiv Yadav Resident of Village- Parhiya, Police Station- Raghunathpur, District- Siwan.
4. Durga Yadav, aged about 45 years (M), Son of Laldhar Yadav Resident of Village- Parhiya, Police Station- Raghunathpur, District- Siwan.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ajay Kumar Tiwary, Adv.
For the Respondent/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 26-02-2021 Heard learned counsel for the appellants and counsel
for the State.

The present appeal is directed against the order dated 17.9.2020 passed in Anticipatory Bail Petition No. 1560 of 2020 whereby learned 1st Additional Sessions Judge cum Special Judge, Siwan has rejected the prayer for grant of anticipatory bail to the appellants in connection with Siwan SC/ST P.S. Case No. 14 of 2020 registered for offence under Sections 341, 323, 427, 504, 506/34 of the Indian Penal Code and Sections 3(i)(r)(s)/3(2)(Va) of the Scheduled Castes and Scheduled Tribes



(Prevention of Atrocities) Act.

The allegation has been made that the cow of Satyendra Yadav was grazing in the vegetable field of the Informant, whereupon, the Informant went to his house and asked him to keep his cow properly on which he started to abuse him by taking his caste name and also tried to assault him but, he fled away from there. It has been alleged that thereafter the son of the Informant had gone to watch mango orchard where his son was surrounded by the accused persons, he was assaulted by them and also abused.

Learned counsel for the appellants submits that all are the fabricated story, in reality nothing has happened and the appellants have falsely been implicated in the present case just to settle the personal enmity.

Looking to the entire facts and circumstances of the case, let the appellants, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released 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 learned 1st Additional Sessions Judge – cum – Special Judge, Siwan in connection with Siwan SC/ST P.S. Case No. 14 of 2020, subject to the



conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the appellants for investigation/interrogation, they will remain present and if they would not present themselves, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

(Shivaji Pandey, J)

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