

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2125 of 2020

Arising Out of PS. Case No.-27 Year-2020 Thana- SC/ST District- Lakhisarai

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1. RAMASHISH YADAV (Male), aged about 55 years, son of late Lalo Yadav.
 2. Ranjeet Yadav (Male), aged about 35 years, son of Ramashish Yadav.
 3. Sanjeet Yadav @ Sanjeet Kumar (Male), aged about 30 years, son of Ramashish Yadav.
All resident of Village - Pachauta, P.S. - Lakhisarai, District - Lakhisarai.
 4. Ravindra Yadav @ Ravindra Kumar (Male), aged about 35 years, son of Shiv Dayal Yadav, Resident of Shivdih, P.S.-Chanan, District-Lakhisarai.

... .. Appellants

Versus

1. The State of Bihar.
2. Lalita Devi (Female), aged about 35 years, wife of Mukesh Paswan, Resident of Village - Pachauta, P.S - Lakhisarai, District-Lakhisarai.

... .. Respondents

Appearance :

For the Appellant/s : Mr. Manoj Kumar, Advocate
For the Respondent/s : Ms. Usha Kumari, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 24-02-2021 Heard learned counsel for the appellants and
learned Spl. P.P. for the State.

Learned counsel for the appellants submits that he
wants to withdraw this appeal on behalf of appellant no.1.

Permission, as prayed for, is granted. Accordingly,
this appeal is dismissed as withdraw as against appellant no.1
namely, Ramashish Yadav.

This is an appeal under Section 14-A(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of



Atrocities) Act, 1989 (hereinafter referred to as the “S.C./ST Act”) against the order dated 26.09.2020 passed by the learned Additional Sessions Judge, 1st -cum-Special Judge (SC/ST Act), Lakhisarai, in connection with Lakhisarai SC/ST P.S. Case No. 27 of 2020, registered for the offence under Sections 147, 148, 149, 341, 323, 354-B, 379, 504 and 506/34 of the Indian Penal Code and under Sections 3(i)(r)(s) 3(2)(v-a) of SC/ST Act, by which the Court below has rejected the prayer for anticipatory bail of the appellants.

Allegation has been made that the appellants forcibly entered into the house of the informant and started assaulting the informant. It has further been alleged that accused persons caught hold the informant and dragged her and took the ear rings. It has also been alleged that they have also assaulted her by the butt of the pistol and hurled abuses by taking the caste name.

Learned counsel for the appellants submits that the informant side illegally constructed the house over the land of the present appellants and for settling the personal score this false case has been lodged against the appellants.

Looking to the aforesaid facts, let the appellant nos.2, 3 and 4, above named, in the event of their arrest or



surrender before the Court below within a period of six weeks from today, be released on bail, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, 1st -cum-Special Judge (SC/ST Act), Lakhisarai, in connection with Lakhisarai SC/ST P.S. Case No. 27 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. This is also subject to further conditions that (i) one of the bailors shall be a close relative of the appellants and (ii) the appellants shall fully cooperate with the investigation/trial of the case, failing which, the Court below shall be at liberty to cancel the bail bonds of the appellants.

Accordingly, the impugned order dated 26.09.2020 is set aside. Consequently, this appeal stands allowed.

(Shivaji Pandey, J)

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