

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2170 of 2020

Arising Out of PS. Case No.-101 Year-2020 Thana- HASPURA District- Aurangabad

1. Nawal Yadav @ Nawal Kishore Yadav Son of Ratan Yadav @ Ramchandra Singh, Resident of Village-Mahadipur, P.S-Haspura, District-Aurangabad.
2. Sriman Yadav @ Jitendra Kumar S/o Basudeo Yadav, Resident of Village-Mahadipur, P.S-Haspura, District-Aurangabad.
3. Raju Yadav @ Raju Kumar S/o Rameshwar Yadav, Resident of Village-Mahadipur, P.S-Haspura, District-Aurangabad.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Santosh Chandra Bhaskar
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 learned counsel for the State.

The appeal is admitted.

This is an appeal under section 14 (A) (2) of the Scheduled Castes and Schedules Tribes (Prevention of Atrocities) Act, 1989, against the refusal of prayer for bail vide order dated 19.09.2020 passed by 1st Additional District and Sessions Judge-cum-Special Judge (SC/ST), Aurangabad in connection with Haspura P.S. Case No. 101 of 2020 registered for offence punishable under sections 341, 323, 325, 324, 504/34 of the Indian Penal Code and sections 3 (i) (r) (s), 3 (2)



(va) of the SC/ST (POA) Act whereby and whereunder the prayer for anticipatory bail made on behalf of the appellants has been rejected.

Allegation has been made that the dispute arose on account of giving toddy which led to altercation and assault between the parties.

Learned counsel for the appellants submits that there is no specific allegation against the present appellants.

Looking to the facts and circumstances of the case, the impugned order dated 19.09.2020 is set aside and the appellants above named, in the event of arrest or surrender before the court below within six weeks from today, are directed to be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of 1st Additional District and Sessions Judge-cum-Special Judge (SC/ST), Aurangabad in connection with Haspura P.S. Case No.101 of 2020, subject to the condition that one of the bailors of the appellants shall be their close relative. The appellants will not induce any witness or tamper with the evidence. The appellants shall cooperate in the disposal of trial and make themselves available as and when required by the court. In case of failure on two consecutive dates without any valid reason, the



court below shall be at liberty to cancel the bail bonds of the appellants.

Accordingly, this appeal is allowed.

(Shivaji Pandey, J)

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