

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1428 of 2021

Arising Out of PS. Case No.-401 Year-2020 Thana- NAWADA District- Nawada

1. Saryu Yadav And Ors Son Of Prasadi Yadav R/O Vill-Purani Mahuli, P.S- Nawada, Dist- Nawada
2. Rajesh Kumar@Durga Yadav Son Of Kameshwar Yadav R/O Vill-Purani Mahuli, P.S- Nawada, Dist- Nawada
3. Mantu Yadav Son Of Chhote Lal Yadav R/O Vill-Purani Mahuli, P.S- Nawada, Dist- Nawada
4. Deepak Yadav Son Of Chhote Lal Yadav R/O Vill-Purani Mahuli, P.S- Nawada, Dist- Nawada

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Birendra Kumar
For the State	:	Mr. Usha Kumari
For the respondent no. 2	:	Mr. Uday Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-04-2022 Heard learned counsel for the parties.

This is an appeal under section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer for bail vide order dated 19.01.2021, passed by learned Additional District and Sessions Judge-1st cum-Special Judge, SC/ST Act, Nawada in connection with Nawada P.S. Case No. 401 of 2020, registered under Sections 341, 385, 504, 506, 34 of the IPC and Sections 3 (i) (r) of the SC/ST Act.

It is alleged in the FIR that when the informant and his son were coming on their motorcycle, the appellants were sitting



by the roadside and were consuming alcohol. They got enraged unnecessarily and abused the informant and his son. They were assaulted as well. Three persons are said to have injured in the occurrence.

It is submitted by learned counsel for the appellants that the appellants are innocent and have been falsely implicated in this case. In fact, the son of the informant was driving his motorcycle in a negligent manner and he hit a calf. This led to dispute between both the sides and persons from both sides assaulted each other. There was no intention, it has been urged on behalf of the appellants to demean anyone of the prosecution party. Three persons were injured in the occurrence who are stated to have received simple injury. He further submits that appellants have no criminal antecedent as stated in para-3 of this appeal.

Learned Spl. PP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, the above named appellants, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned



Additional District and Sessions Judge 1st -cum-Special Judge
SC/ST Act, Nawada in connection with Nawada P.S. Case No.
401 of 2020, subject to the condition as laid down under Section
438 (2) of the Cr.P.C.

Accordingly, the impugned order is set aside and the
appeal is allowed.

(Anjani Kumar Sharan, J)

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