

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1953 of 2021

Arising Out of PS. Case No.-14 Year-2020 Thana- DHANGAI District- Gaya

1. Dharmendra Yadav Son of Jagdish Yadav Resident of Village - Deoda, Police Station - Dhangai and District - Gaya.
2. Kailash Yadav Son of Lila Yadav Resident of Village - Deoda, Police Station - Dhangai and District - Gaya.
3. Dinesh Yadav @ Dinesh Kumar Son of Chhatradhari Yadav Resident of Village - Deoda, Police Station - Dhangai and District - Gaya.
4. Rajesh Yadav Son of Mahavir Yadav Resident of Village - Deoda, Police Station - Dhangai and District - Gaya.
5. Chandrika Yadav Son of Lattu Yadav Resident of Village - Deoda, Police Station - Dhangai and District - Gaya.
6. Mukhdeo Yadav Son of Barho Yadav Resident of Village - Deoda, Police Station - Dhangai and District - Gaya.
7. Talkeshwar Yadav @ Talkeshwar Kumar Son of Moti Yadav Resident of Village - Deoda, Police Station - Dhangai and District - Gaya.
8. Manoj Yadav @ Manoj Kumar Son of Swarup @ Ram Swarup Yadav Resident of Village - Deoda, Police Station - Dhangai and District - Gaya.
9. Dinesh Yadav @ Dinesh Kumar Son of Guru Dayal @ Uttim Sao Resident of Village - Deoda, Police Station - Dhangai and District - Gaya.
10. Raj Kumar Yadav Son of Biran Yadav Resident of Village - Deoda, Police Station - Dhangai and District - Gaya.
11. Tulsi Yadav Son of Biran Yadav Resident of Village - Deoda, Police Station - Dhangai and District - Gaya.
12. Shankar Yadav Son of Mahavir Yadav Resident of Village - Deoda, Police Station - Dhangai and District - Gaya.
13. Shyamdeo Yadav Son of Mahavir Yadav Resident of Village - Deoda, Police Station - Dhangai and District - Gaya.
14. Akhilesh Yadav Son of Mukul Yadav Resident of Village - Deoda, Police Station - Dhangai and District - Gaya.
15. Kiran Devi Wife of Randhir Kumar @ Barhan Yadav @ Bhagirath Yadav Resident of Village - Deoda, Police Station - Dhangai and District - Gaya.
16. Kamlesh Yadav Son of Rameshwar Yadav Resident of Village - Deoda, Police Station - Dhangai and District - Gaya.

... .. Appellant/s

Versus

1. The State of Bihar.
2. Vinod Chaudhary, Son of Late Bansri Chaudhary Resident of Village-Sodhi, Jamjor Tola, Pathargarhi, P.S.-Dhangai, District-Gaya

... .. Respondent/s



Appearance :

For the Appellant/s : Mr. Gajendra Kumar Singh
For the Respondent/s : Mr. Special P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-07-2022 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

By order dated 12.04.2022, notice was issued to respondent no.2. From perusal of the office notes, it transpires that the notice has validly been served on respondent no.2, but today nobody appears on his behalf.

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 SC/ST Act') against the refusal of prayer of anticipatory bail vide order dated 06.02.2021, passed by learned Exclusive Special Judge, SC/ST Act, Gaya in connection with Dhangai P.S. Case No.14 of 2020, registered under Sections 147, 148, 149, 342, 448, 452, 323, 325, 307, 354, 504, 506, 427 and 379 of the Indian Penal Code and Sections 3(1)(r)(s)/3(2)(va)/3(2)(v) of the SC/ST Act.

Learned counsel for the appellants submits that the appellants are innocent and have falsely been implicated in the present case. There is general and omnibus allegation against the appellants. It is further submitted that there is no allegation



against the appellants to abuse the informant by naming his caste. It is also submitted that the appellants have got no criminal antecedent as stated in paragraph-3 of the memo of appeal.

Learned Special P.P. for the State opposed the prayer for anticipatory bail of the appellants.

Taking into consideration the fact that there is general and omnibus allegation against the appellants, let appellants, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be released on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST Act, Gaya in connection with Dhangai P.S. Case No.14 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

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

(Anjani Kumar Sharan, J.)

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