

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1068 of 2021

Arising Out of PS. Case No.-18 Year-2019 Thana- SC/ST District- Darbhanga

1. RAHUL KUMAR YADAV Son of Manoj Yadav @ Manoj Kumar Yadav Resident of Village - Barhi, P.S.- Keoti, Dist.- Darbhanga.
2. VICKY KUMAR YADAV Son of Ram Pukar Yadav Resident of Village - Barhi, P.S.- Keoti, Dist.- Darbhanga.
3. RAM PUKAR YADAV Son of Bhogi Yadav Resident of Village - Barhi, P.S.- Keoti, Dist.- Darbhanga.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Iqbal Asif Niazi
For the Respondent/s	:	Mr.Baidya Nath Prasad
		Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

3 07-02-2023 Learned counsel for the appellants is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the appellants as well as learned counsel for the informant.

This appeal has been preferred on behalf of the appellants under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act for setting aside the order dated 12.11.2020 passed by the learned 1st Additional Session Judge-cum-Special Judge, (SC/ST POA Act), Darbhanga in A.B.P. No. 1180 of 2020 arising out of Darbhanga



SC/ST P.S. Case No. 18 of 2019, registered for the offences punishable under Sections 341, 323, 354(B), 427, 504, 506 of the Indian Penal Code & Section 3(i)(r), 3(1)(s), 3(1)(2b) of SC and ST (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of the appellants has been rejected.

As per allegation, the accused persons abused and assaulted the members of the informant side. On 12.02.2019, the appellants and co-accused Vicky Kumar abused the informant. The specific allegation against the appellants is that he spit at the mouth of the informant and also administered drain water forcibly to the informant.

The learned counsel for the appellants has submitted that the members of appellants side have also suffered injuries. There is case and counter case. There is land dispute between the parties. The informant is neighbourer of the appellants.

On the other hand, the learned counsel for the informant has submitted that cognizance has been taken in this case. As such, the anticipatory bail petition is not maintainable.

The appellants are directed to surrender before the court below and make a prayer for regular bail, that shall be disposed of on the same day, without being prejudiced by this order.



With these observations, the petition is disposed of.

Office shall ensure that all defects are removed by the
appellant within the stipulated time provided hereinabove,
failing which the matter shall be brought to the notice of this
Court.

(Nawneet Kumar Pandey, J)

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