

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Appeal (SJ) No. 3345 of 2017**

Arising Out of PS.Case No. -135 Year- 2017 Thana -GURUA District- GAYA

- =====
1. MD. AKHTAR KHAN @ AKHTAR KHAN, son of Salim Khan
  2. Sabil Khan, son of Shakil Khan
  3. Babar Khan son of Ibrahim Khan
  4. Monu Khan, son of Naseem Khan, All are resident of Village - Punaul,  
Police Station - Gurua, District - Gaya.

.... .... Appellant/s

Versus

1. The State of Bihar

.... .... Respondent/s

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**Appearance :**

For the Appellants : Mr. Tej Narayan Singh, Advocate

For the Respondent : Mr. Sri Sadanand Paswan, Special P.P.

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

2      15-12-2017

Heard learned counsel for the parties.

This is an appeal under Section 14(2)(A) 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 for anticipatory bail by the learned Special Judge (S.C./S.T.), Gaya in Gurua P.S. Case No. 135 of 2017 registered under Sections 341, 323, 504/34 of the Indian Penal Code as well as Section 3(r)(s) of the SC/ST Act.

The perusal of the FIR does not reveal that offence, under the provisions of the SC/ST Act, is made out against the appellants.

Hence, let the appellants, above named, in the event of their arrest or surrender before the Court below within a



period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Gurua P.S. Case No. 135 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellants shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellants.

Accordingly, this application stands allowed.

**(Birendra Kumar, J)**

Kundan/-

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