

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2733 of 2017

Arising Out of PS.Case No. -72 Year- 2017 Thana -PAKARIBARAW District- NAWADA

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- 1.Mustafa Mian son of Marhoom Mantu Mian
 2. Md.Ekram Mian @ Ekram Mian son of Marhoom Salam Mian @ Bomal Mian.
 3. Md. Laddan Mian @ Ladan Mian.
 4. Gabbar Mian son of Marhoom Phudani Mian.
 - 5.Khairati @ Khairati Mian son of Marhoom Mantu Mian.

All are residents of village-Aadha, P.S.Pakaribarawan, Nawada.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Krishna Deo Raj

For the Respondent/s : Mr. Binod Bihari Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-11-2017 Heard the parties.

This appeal is for grant of anticipatory bail in connection with Pakari Barawan P.S.Case No. 72 of 2017 registered for the offences punishable under Sections 147, 148, 149, 323, 341, 307,504, 506, 354 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(i) (r) (s) of SC/ST (Prevention of Atrocities) Act.

Allegation against the appellants is of teasing and outraging modesty of female members of the informant and also assaulting the informant and against another accused person is of firing indiscriminately.



Submission of the learned counsel for the appellants is that there is general and omnibus allegation of assaulting and abusing. against the appellants. Both sides sustained injuries. It has been also alleged that there is delay of two days in filing of the present F.I.R. which has not been explained. Though three round firing has been resorted to which did not hit any one. The doctor has found simple injuries caused by hard and blunt substance.

Heard learned Spl.P.P. also who opposed the prayer on the ground of maintainability resorting firing by appellant no.3, Laddan Mian and abusing the informant by his caste name.

Having heard both sides and in view of the facts and circumstances, as stated above, the appellants are directed to surrender before the court below and pray for regular bail and the learned trial Court shall consider the same on its own merit, if possible, on the same day without being prejudiced by this order.

With the aforesaid observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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