

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2021 of 2018

Arising Out of PS. Case No.-41 Year-2018 Thana- BIHARSHARIF District- Nalanda

1. Md. Mintu,
2. Md. Kausar, Both sons of Md. Naseemuddin, Both Resident of Mohalla- Naya Tola, Bari Dargah, Police Station- Biharsharif, District- Nalanda.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Binay Kumar

For the Respondent/s : Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 18-07-2018

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, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 24.05.2018 passed by the learned 1st Additional Sessions Judge, Nalanda, in A.B.P. No.1462 of 2018, arising out of Bihar Police Station Case No.41 of 2018 registered under Sections 147, 148, 149, 341, 448, 326, 323, 504, 337, 338, 307 of the Indian Penal Code and Section 27 of the Arms Act as well as Section 3(i) R.S. of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The appellants were identified among mob of 100-150 people abusing and assaulting to the informant and others.



Considering the general and omnibus nature of allegation and the fact that some other co-accused persons have been allowed anticipatory bail by co-ordinate Bench of this Court vide Annexure-3, 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 the aforesaid case, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellants shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the appellants.

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

(Birendra Kumar, J)

abhishek/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

