

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.4188 of 2018**

Arising Out of PS. Case No.-15 Year-2018 Thana- SC/ST District- Siwan

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1. Serajuddin Mian S/o Late Karim Mian
  2. Imam Hussain Son of Ali Hussain
  3. Khaituniya @ Khaitunisha Wife of Nizamuddin Mian
  4. Masu Mian @ Masuma Bibi Wife of Late Karim Mian
  5. Khairum Wife of Ali Hussain
  6. Mehrun Wife of Abid Hussain
  7. Sayara Begum Wife of Serajuddin Mian .
  8. Naima Begum Wife of Jainuddin Mian
  9. Aapsa Begum @ Aisha Begum Wife of Mohammaddin Mian, All Resident of Village- Andar, P.S.- Andar, Distt.-Siwan.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr.Raghav Prasad  
For the Respondent/s : Mr.Sri Sadanand Paswan

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

**Date : 21-12-2018**

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 25.09.2018 passed by the learned Additional Sessions Judge-1-cum-Special Judge, Siwan in A.B.P. No.1543 of 2018, arising out of Siwan SC/ST Police Station Case No.15 of 2018 registered under Sections 147, 148, 149, 341, 323, 385, 504, 506 of the Indian Penal Code and Sections 3(1)(r)(s)(F) (V)/3(2)(Va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



There is land dispute between the parties and offences of the Indian Penal Code alleged against the appellants are bailable. The appellants have stated on oath that they have got no criminal antecedent.

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 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 this appeal stands allowed.

**(Birendra Kumar, J)**

abhishek/-

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