

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1415 of 2018

Arising Out of PS.Case No. -60 Year- 2017 Thana -PURUSHOTTAMPUR District-
WESTCHAMPARAN(BETTIAH)

=====

1. Sheikh Fariyad, Son of Sheikh Rahim,
2. Sakina Khatoon Wife of Sheikh Fariyad,
3. Shahanwaz Khatoon @ Shahanaz Khatoon, daughter of Sheikh Fariyad, All are
resident of Village- Parsa, Police Station- Purushottampur, District- West
Champaran. Appellant/s

Versus

1. The State of Bihar. Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Brij Kishor Mishra, Adv

For the Respondent/s : Mr. Binay Krishna,SPP

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 15-05-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, against refusal of the prayer for anticipatory bail
by the learned Additional District and Sessions Judge-1st -cum-
Special Judge, Bettiah, West Champaran in connection with
Purushottampur P.S.Case No. 60 of 2017 registered under
Sections 341,323,379,354,504,506 of the Indian Penal Code as
well as under Sections 3(i)(x) of the Scheduled Castes and
Scheduled Tribes Act.

According to FIR, appellant-Sheikh Fariyad is alleged
to have dragged the complainant with some illicit motive. For
the aforesaid occurrence, Sheikh Fariyad subsequently
alongwith other family members including other appellants, who
are female, came and committed abuse and assault.



Considering the nature of allegation against appellant-Sheikh Fariyad, I am not inclined to enlarge him on anticipatory bail. Hence, prayer is refused. He is directed to surrender within two weeks and pray for regular bail.

Other appellants, namely, Sakina Khatoon and Shahanwaz Khatoon @ Shahanaz Khatoon, who are female and daughters of appellant-Sheikh Fariyad, having general and omnibus nature of allegation, 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 anticipatory bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with the aforesaid case, 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/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellants.

Accordingly, this appeal stands partly allowed and partly dismissed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.05.2018
Transmission Date	16.05.2018

