

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1789 of 2018

Arising Out of PS. Case No.-54 Year-2018 Thana- HUSAINGANJ District- Siwan

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1. Md. Ahtesham @ Ahtesham, son of Md. Fahim
 2. Quadir Siddique @ Qadir Furquan Siddique, son of Md. Neyaz @ Md. Neyaz Ahmad.
 3. Md. Arif @ Arif Ali son of Late Shamshul Hoda.
 4. Syed Aamir Hussain @ Amir Ali, son of Jamshed.
 5. Mustaque Ahmad, son of Late Azimullah.
 6. Jeeshan Haidar, son of Md. Merajuddin.
 7. Tanveer Eqbal @ Md. Tanveer Ekbal, son of Mokhtar Ahmad.
 8. Md. Azam @ Md. Azam Rashidi, son of Abdul Rasidul Haque.
 9. Tanveer Ali son of Late Ameer Hasan. All Resident of Village-Khanpur Khairanti, P.S. Hussainganj, District- Siwan.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Raghav Prasad
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 17-07-2018

Heard learned counsel for the parties.

This is an appeal under Section 14A 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 13.04.2018 passed by the learned Additional Sessions Judge-I, Siwan in A.B.P. No.500 of 2018, arising out of Hussainganj Police Station Case No.54 of 2018 registered under Sections 147, 148, 149, 341, 323, 337, 338, 307, 379, 295(A) of the Indian Penal Code and Section 3(1)(R)/3(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



About 25-30 persons allegedly assaulted to the informant. The name of twelve is disclosed in the F.I.R., which includes the appellants also. The Doctor has found single and simple injury on the person of the informant vide Annexure-2.

Considering the aforesaid facts, 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/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

