

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4048 of 2018

Arising Out of PS. Case No.-147 Year-2018 Thana- AAJAM NAGAR District- Katihar

Majloom Alam @ Abdul Rahman @ Abdul Rahman Ansari, S/o Late Ramjam Ali, R/o Village- Mehadibari (Ghordah), P.S.- Aajam Nagar (Salmasi O.P.), Dist- Katihar.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Saghir Ahmad, Adv

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 06-12-2018

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 against the refusal of prayer for bail by order dated 14.09.2018 in G.R. No.2506 of 2018 arising out of Azam Nagar (Salmasi)P.S.Case No.147 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Katihar, registered under Sections 302,326(A),120B,307,436 of the Indian Penal Code and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The informant suspects that the appellant and his wife had committed arson in his Hut, which resulted in burn injury to three family members, who



were sleeping inside the house. One of the injured died.

Submission is that co-accused-Mokim Akhtari was already allowed bail by this Court after perusal of the case diary, wherein no direct evidence had come against the accused person.

Considering the facts aforesaid, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) 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, with condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the appellant 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 appellant.

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

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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