

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1323 of 2018

Arising Out of PS.Case No. -1961 Year- 2014 Thana -COMPLAINT CASE District- ARARIA

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1. Md. Giranuddin @ Md. Giranu S/o Kafiluddin
2. Alaluddin @ Alauin @ Alauddin S/o Kalimuddin
3. Md. Qaiyum S/o Alaluddin @ Alauin @ Alauddin All residents of village -
Budhi, P.S. - Palasi, District - Araria.

.... Appellant/s

Versus

1. The State of Bihar.
2. Binod Paswan S/o Late Jaldhari Paswan Resident of Village - Gosaipur, P.S.
Palasi, Distt Araria.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Md. Naushad Uzzoha, Adv
For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 03-07-2018

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 order dated 26.02.2018 by the learned 1st Addl. Sessions Judge-cum-Special Judge, Araria in connection with protest – cum- complaint Case No.1961c/2014 related to Araria SC/ST P.S.Case No. 40 of 2013 corresponding to Spl. Case No.276 of 2017 registered under Sections 341,323,504,506/34 of the Indian Penal Code as well as under Sections 3(i)(iv), 3(i) (x) of the Scheduled Castes and Scheduled Tribes Act.



The informant was quarrelling with the co-accused for land dispute. In the meantime, the appellants reached there and abused the informant.

Considering the general and omnibus nature of allegation and the background of allegation, 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 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 and both bailors shall be resident of territorial jurisdiction of the learned court below and further 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, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
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