

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1995 of 2018

Arising Out of PS. Case No.-16 Year-2018 Thana- TARIYANI CHAPRA PS District-
Sheohar

-
1. Md. Kaishar, Son of Md. Jaffar,
 2. Md. Khushnud Son of Md. Kaishar.
 3. Abdar Alam @ Md. Abedar, Son of Md. Kaishar, All R/o
Village- Tariyani Chapra, P.S. & District- Sheohar.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ashok Kumar Jha, Advocate
For the Respondent/s : Smt Usha Kumari No-1, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 01-11-2018

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 anticipatory bail vide order dated 10.05.2018 passed by learned Additional Sessions Judge 1st -cum-Special Judge, Sheohar, in A.B.P. No. 148 of 2018, arising out of Tariyani (Chapra) Police Station Case No.16 of 2018, registered under Sections 341/323/324/448/380/504/506/354A/34 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.



According to FIR, appellant Md. Khushnud and co-accused Md. Aurangjeb entered into the house of the informant, at about 10:00 PM, and started dragging to a girl, aged about 13 years, with illicit purpose. When the informant woke up, she caught appellant Md. Khushnud. In the meantime, other appellants and co-accused Md. Aurangjeb having a dagger reached there and started assaulting to the informant. The victim girl has also supported the allegation before the police.

Learned counsel for the appellants submits that both sides are neighbours. For trivial dispute between the two neighbours false case has been lodged. There is case and counter case.

Considering the nature of allegation against the appellants, I am not inclined to enlarge the appellants on anticipatory bail. Hence, this appeal against refusal of the prayer of anticipatory bail is dismissed.

Mkr./-

(Birendra Kumar, J)

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	05.11.2018
Transmission Date	05.11.2018

