

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2385 of 2018

Arising Out of PS.Case No. -72 Year- 2018 Thana -PANCHRUKHI District- SIWAN

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1. Arman Khan, S/o Feku Khan,
2. Naseem Khan, S/o Late Shoukat Khan,
3. Amzad Mansuri, S/o Bhual Mansuri,
4. Sadam Khan, S/o Mustkim Khan,
5. Jiya Khan, S/o Ahmad Khan,
6. Eqbal Mansuri @ Iqbal Mansuri, S/o Iltaf Mansuri, All resident of Village-
Laheji, P.S.- M.H. Nagar, District- Siwan.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Prabhakar Singh, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 16-08-2018

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 07.06.2018 in A.B.A. No.787 of 2018 passed by the learned Additional Sessions Judge-cum- Special Judge 1st, Siwan in connection with Pachrukhi (M.H.Nagar) P.S.Case No. 72 of 2018 registered under Sections 147, 148, 149, 341, 323, 324, 379, 504 of the Indian Penal Code and Sections 3(i)(x) of the Scheduled Castes and Scheduled Tribes Act.

There is case and counter case between the parties.



Allegation of commission of injury with Farsa at the head of the wife of the informant is against co-accused-Junaid Khan. Allegation of commission of injury to the father of the informant is against co-accused-Raja Babu Khan. There is general and omnibus allegation against the appellants also of commission of assault and theft.

Considering the fact that there is case and counter case between the parties, the appellants have stated on oath that they have got no criminal antecedent as well as the fact that there is no specific allegation against the appellants, 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
CAV DATE	NA
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