

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3730 of 2018

Arising Out of PS. Case No.-118 Year-2018 Thana- NASRIGANJ District- Rohtas

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Sher Aalam @ Jaffar Imam, Son of Pravej Aalam @ Pravej, Resident of
Village- Mauna, P.O.- Taraon, P.S.- Nasriganj, District- Rohtas.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Arun Kumar Singh, Advocate
For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 11-12-2018

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 anticipatory bail vide order dated 21.08.2018 passed by the learned 1st Additional Sessions Judge, Rohtas at Sasaram, in Registered Case No.166 of 2018, arising out of Nasriganj Police Station Case No.118 of 2018, registered under Sections 147/148/149/323/341/326/504/506/354/436/427 of the Indian Penal Code and Sections 3(i)(r)(s)/3(w)(1)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.



Nasriganj P.S. Case No.117 of 2018 was lodged by the local Police Officer stating therein that on 27.05.2018 some Muslims and Hindus have fought in village Mauna. In that FIR name of the appellant is not there. For the same occurrence the present FIR was lodged on 30.05.2018 by Kaushalya Devi belonging to Hindu community alleging therein that FIR named 20 person and other unknown variously armed allegedly committed abuse and assault as well as arson in the house.

Considering the general and omnibus nature of allegation and the statement of the appellant that he has got no criminal antecedent as well as considering the fact that his name did not surface in the FIR lodged by the Police Officer against both sides, let the appellant, above named, in the event of his 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/- (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, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that 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 appeal stands allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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