

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3881 of 2018

Arising Out of PS. Case No.-23 Year-2016 Thana- SC/ST District- Jehanabad

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1. Najni Parveen D/o of Akwar Abedi
 2. Md.Tammana @ Tamanna Son of Akbar Abedi Both Resident of Village-Ikkil Dhorha, P.S. Makhdumpur, (Tehta O.P.) Distt.- Jehanabad

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shivendra Prasad,Adv

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date : 14-12-2018

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 27.08.2018 in A.B.P. No.1451 of 2018 passed by the learned Additional Sessions Judge 1st Jehanabad in connection with Jehanabad SC/ST P.S.Case No. 23 of 2016 registered under Sections 341,323,354,427,504/34 of the Indian Penal Code and Sections 3(l)(s)(w)(l) of the Scheduled Castes and Scheduled Tribes Act.

The offences of the Indian Penal Code alleged against the appellants areailable. After investigation, the police did not send up the appellants for trial. However, the learned Magistrate has differed with the police report and taken cognizance against the



appellants. Appellants have stated on oath that they have got no criminal antecedent.

Considering the facts of this case aforesaid, 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 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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