

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3921 of 2018

Arising Out of PS. Case No.-126 Year-2018 Thana- SIKARPUR District- West Champaran

1. Vakil Miyan @ Bakil Miyan, Son of Sagar Miyan,
2. Alim Miyan, Son of Sagar Miyan
3. Astab Miyan @ Aftab Miyan, Son of Vakil Miyan @ Bakil Miyan
4. Azad Miyan Son of Vakil Miyan @ Bakil Miyan
5. Sahjad Miyan @ Sajjad Miyan, Son of Vakil Miyan @ Bakil Miyan
6. Afsana Khatoon, Wife of- Astab Miyan @ Aftab Miyan All Resident of Village - Chintavanpur, P.S. Shikarpur, District- West Champaran.

... .. Appellant/s

Versus

1. The State of Bihar.
2. Bhushan Ram, Son of Kundan Ram Resident of Village - Chintavanpur, P.S. Shikarpur, District- West Champaran.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. S.N.P. Sinha, Sr. Adv. Miss Rashmi Bharti, Adv.
For the Respondent/s	:	Mr. Sadanand Paswan, S.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 17-12-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 25.08.2018 in A.B.P. No. 1552 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, West Champaran at Bettiah in connection with Shikarpur P.S. Case No. 126 of 2018 registered under



Sections 341, 323, 325, 504/34 of the Indian Penal Code as well as Sections 3(i)(r) of the SC/ST Act.

Considering the nature of allegation and compromise between the parties vide Annexure-2 as well as statement of the appellants on oath that they have got no criminal antecedent, 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 bonds of Rs.20,000/- (rupees twenty thousand) each 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 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 as well as condition that both the bailors shall be resident of the territorial jurisdiction of the learned court below.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Kundan/Ravi

AFR/NAFR	N.A.
CAV DATE	N.A.
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