

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1311 of 2018

Arising Out of PS.Case No. -51 Year- 2018 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Neyaz Ahamad,
 2. Raiful Azam,
 3. Nurul Hassan Ali @ Nurul Hassan, All sons of Late Badrul Hassan,
 4. Md. Sajid, Son of Raiful Azam, All residents of Village- Diwan Chauk, P.S.- Sugauli, District- East Champaran.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Umesh Chandra Verma, Adv

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 14-05-2018

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 the learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST Act, East Champaran at Motihari in connection with Sugauli P.S.Case No. 51 of 2018 registered under Sections 406,420,504,506,34 of the Indian Penal Code as well as under Sections 3(i)(r)(s)of the Scheduled Castes and Scheduled Tribes Act.

For business dispute between the parties, the allegation is of commission of abuse by taking caste name on the phone call.



Submission is that apparently the public view is not there and exaggerated statement in the FIR is there for the reason of dispute of account. The appellants have got no criminal antecedent.

Considering the aforesaid facts, 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 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.

Accordingly, this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
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