

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2849 of 2018

Arising Out of PS.Case No. -93 Year- 2018 Thana -BISFI District- MADHUBANI

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1. Raushan Sahani, Son of Ramprit Sahani.
 2. Ramprit Sahani Son of Laxman Sahani.
 3. Gulab Sahani, Son of Pulkit Sahani,
 4. Sunil Sahani @ Dilwa Sahani Son of Pulkit Sahani, All are resident of Village- Arer Purwari Tola, P.S.- Arer, District- Madubani.
 5. Kapileshwar Sahani, Son of Dallu Sahani, resident of village- Uttar Belaunja, P.S.- Patauna (O.P.), District- Madhubani.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Gagan Deo Yadav, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 27-08-2018

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 bail vide order dated 29.06.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Madhubani, in connection with Bisfi (Patouna) Police Station Case No.93 of 2018, registered under Sections 147/148/149/341/323/324/325/354/380/436/504/506 of the Indian Penal Code and Section 3(1)(r)(w)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.



Submission is that the daughter of the informant had eloped with appellant Raushan Sahani, which was not liked and recognized by the family of the informant and for that reason twice crime was committed against the appellants by the prosecution side for which FIR has been lodged which are at Annexure-3 and thereafter the present FIR has been lodged with allegation of commission of abuse and assault.

Considering the background and nature of allegation, let the appellants, above named, be released on bail on furnishing bail bond of Rs.20,000/- (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, with 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, the impugned order is set aside and appeal is allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	29.08.2018
Transmission Date	29.08.2018

