

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1816 of 2018

Arising Out of PS.Case No. -18 Year- 2011 Thana -BARGANIA District- SITAMARHI

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1. Md. Rahim @ Rahim Ansari, Son of Late Yasin Ansari @ Yaseen @ Late Yaseen Ansari, Resident of Village- Shekhauna, P.S.- Bairstania, District- Sitamarhi.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Pushpendra Kumar Singh, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 02-07-2018

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 by order dated 11.04.2018 by the learned Special Judge (S.C./S.T. Act), Sitamarhi, in connection with Bairstania Police Station Case No.18 of 2011, G.R. No.342 of 2011 registered under Sections 147,148,149,323,324,341,302,307,353 of the Indian Penal Code and Section 3(1)(X) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The FIR contains name of 17 accused persons besides reference of 150 unknown persons. Specific allegation of commission of murderous assault is against co-accused Dilip Singh and Arjun Singh. Though the appellant is named in the FIR. There is no specific allegation against him.



Considering the aforesaid submission of the learned counsel for the appellant, in my view, the appellant deserves bail, accordingly, let the appellant, above named, be released on bail on furnishing bail bond 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, with condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further 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 appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
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