

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1621 of 2018

Arising Out of PS.Case No. -44 Year- 2018 Thana -WAJIRGANJ District- GAYA

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1. Md. Hasib Khan son of Abbas Khan,
 2. Anwar Khan @ Md. Anwar Khan son of Asraf Khan.
 3. Golden Khan @ Md. Imran Khan @ Md. Golden Khan, son of Md. Akhatar Khan.
 4. Saddam Khan @ Md. Saddam Khan, son of Abbas Khan. All are resident of Village- Tali (Tarwan), Police Station- Wazirganj, District- Gaya.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Manish Kumar No.2, Adv
For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT
Date: 17-07-2018

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 09.04.2018 by the learned Exclusive Special Judge, SC/ST Act, Gaya in connection with Wazirganj P.S.Case No. 44 of 2018 registered under Sections 341, 323, 337, 504, 354(B), 379, 506 and 34 of the Indian Penal Code and Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes Act.

The appellants were plucking berry. The stone thrown by the appellants fell on the informant, which caused



annoyance and for that reason, occurrence of abuse and assault was allegedly committed by the appellants.

Considering the general and omnibus nature of allegation and the fact that the appellants have stated 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 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 both bailors shall be resident of territorial jurisdiction of the learned court below 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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