

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2920 of 2018

Arising Out of PS.Case No. -62 Year- 2018 Thana -MINAPUR District- MUZAFFARPUR

=====

1. Noore Nazar Khan @ Md. Noore Nazar Khan, S/o Anwar Khan @ Anwar Alam Khan, resident of Village- Turki Purani Gharari, P.S.- Minapur, District- Muzaffarpur.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Gajendra Kumar Singh, Advocate

For the Respondent/s : Mr. Sadanand Paswan, SPP

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 31-08-2018

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 anticipatory bail vide order dated 16.05.2018 passed by the learned Special Judge (S.C./S.T. Act), Muzaffarpur, in A.B.P. No. 726 of 2018, arising out of Minapur Police Station Case No. 62 of 2018, registered under Sections 323, 337, 341, 354 and 504/34 of the Indian Penal Code and Sections 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

There is case and counter case. The FIR of the counter case is at Annexure-2. The offences alleged under the Indian Penal



Code are mostly bailable. The appellant has got no criminal antecedent.

Considering the aforesaid facts, let the appellant, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds 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, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that 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 impugned order is set aside and appeal stands allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04.09.2018
Transmission Date	04.09.2018

