

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3399 of 2018

Arising Out of PS. Case No.-137 Year-2017 Thana- DARBHANGA SADAR District-
Darbhanga

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Md. Mehtab Alam, S/o Late Md. Abrar, R/o Vill.- Bari Malni, P.S. (Mabbi
O.P.) Sadar, District - Darbhanga.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Ajay Kumar Thakur, Advocate Mr. Nilesh Kumar Mr. Shashank Shekhar,
For the Respondent/s	:	Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 04-12-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 03.08.2018 in A.B.P. No. 668 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Darbhanga in connection with Darbhanga Sadar P.S. Case No. 137 of 2017 registered under Sections 420, 406, 467, 471, 386, 387, 120B of the Indian Penal Code as well as Sections 3(i)(s)(r)(w) of the SC/ST Act.

The occurrence of abuse and assault took place for the reason of some dispute arising between the parties for a transaction to sell and purchase of the immovable property. The allegation of



transaction is in between the informant and other co-accused.

Learned Special Public Prosecutor opposed the prayer for bail.

Considering the facts of this case, 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 anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees 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 as well as condition that both the bailors shall be resident of the territorial jurisdiction of the learned court below.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Kundan/Rajan

AFR/NAFR	N.A.
CAV DATE	N.A.
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