

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3057 of 2018

Arising Out of PS. Case No.-219 Year-2017 Thana- BAUSI District- Purnia

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1. Md. Nastar,
 2. Md. Manzoor @ Md. Manjar alias Md. Nanzoor @ Manjar,
 3. Sarfaraj, All Sons of Late Ahsanul Haaue @ Ehsan, All reisdent of Gandwas, P.S. Dagarwa, District- Purnea.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Praveen Kumar Agrawal
For the Respondent/s : Smt. Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 04-09-2018

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 regular bail vide order dated 24.07.2018 passed by the learned Special Judge, S.C./S.T. (P.O.A.) Act, Purnea in Special S.C./S.T. Case No.332 of 2017, arising out of Baisi Police Station Case No.219 of 2017 registered under Sections 147, 148, 149, 452, 341, 325, 307, 302, 380, 427, 504 of the Indian Penal Code as well as Section 3(i)(v) (x), 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and Section 27 of the Arms Act.



According to F.I.R., the appellants and others assaulted causing injury to the father and uncle of the informant. During course of treatment father of the informant died.

Submission is that the case diary would reveal that the witnesses have stated before the Police that the appellants and others had nothing to do with the occurrence alleged, rather due to village politics, they have been falsely implicated.

Considering the fact that there is no other witness of occurrence, let the appellants, above named, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees 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 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 bonds of the appellants.

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

(Birendra Kumar, J)

abhishek/-

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Transmission Date	

