

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.257 of 2019

Arising Out of PS. Case No.-92 Year-2018 Thana- SANHAULA District- Bhagalpur

Md. Asfaque @ Md. Ashfaque son of Md.Mushtkeem @ Md.Mustaquim
resident of village-Sanhaula P.S. Sanhaula, District Bhagalpur.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Dr. Manoj Kumar

For the Respondent/s : Mr.Smt Usha Kumari No

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 21-02-2019

By way of this memo of appeal, preferred under Section 14(A) of the Scheduled Caste/Scheduled Tribes (Prevention of Atrocities) Act, 1989, appellants seek for setting aside the order dated 18.9.2018 passed in Sanhaula P.S.Case No.92 of 2018 for the offences punishable under Sections 147, 148, 149, 379, 448, 308 of the Indian Penal Code and Section 3(i)(r)3(2)(va) of SC/ST Act by the learned 3rd Addl. District and Sessions Judge cum Special Judge, Bhagalpur whereby and where-under, the appellant's application for grant of anticipatory bail has been rejected.

Allegation against the appellants and other accused persons is of assaulting the informant by rod and also abusing by caste name and taking away of one box.

Submission of the learned counsel for the appellants is that there is case and counter case and the injuries are simple in nature, which will appear from Annexure 3. Both the parties have compromised also.

Heard learned Special P.P. also.



Having heard both sides, considering the facts and circumstances of the case, this appeal is allowed and the impugned order is set aside, let the appellants, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned 3rd Addl. District and Sessions Judge cum Special Judge, Bhagalpur in connection with Sanhauila P.S.Case No.92 of 2018, subject to condition as laid down under Section 438 of Cr.P.C.

(Vinod Kumar Sinha, J)

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Transmission Date	

