

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.242 of 2019

Arising Out of PS. Case No.-63 Year-2018 Thana- SC/ST District- Sitamarhi

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1. Bhikhari Sk. and Ors Son of Rahman SK
 2. Salim Sk. Son of Rahman Sk
 3. Sobra Khatoon @ Sobri Khatoon Wife of Bhikhari Sk
 4. Moti Sk Son of Sobrati Sk
 5. Gulab Sk. Son of Bhikhari Sk
 6. Shahid Sk. @ Shahid Ali Son of Bhikhari Sk.
 7. Sunil Thakur @ Sunil sharma Son of Rameshwar Thakur
 8. Rameshwar Thakur Son of Chalitar Thakur
 9. Sadare Alam @ Sadre Alam Sk. Son of Salim Sk
All resident of Village - dhumha, P.S.- sahiyara, Distt.- Sitamarhi

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ashok Kumar Jha
For the Respondent/s : Mr. Dwij Raj

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 27-02-2019

Heard the parties.

The appellants are apprehending their arrest in connection with SC/ST Sitamarhi P.S.Case No.63 of 2018 , registered for offences punishable under Sections 147, 341, 323, 354, 504, 506 of the Indian Penal Code and Sections 3(1)(s) of S.C./S.T. (Prevention of Atrocities) Act.

Allegation against the appellants is that they came variously arms and thrashed the wife of the informant on the ground and made her semi-naked and on 13.8.2018 again the



accused persons started cutting the earth and on protest one Bhikhari Sheikh and Sobara Khatoon abused the wife of the informant by caste name and also assaulted her and when others came they have also been assaulted by Gulab Sheikh, Salim Sheikh and Moti Sheikh .

Submission of the learned counsel for the appellants is that the appellant no.1 had filed a Title Suit before the learned Sub Judge- I, Sitamarhi and while the defendant tried to sale the land to the informant and injunction petition has been filed by the appellants and that injunction has been allowed in favour of the appellants due to that this present case has been lodged and there is general and omnibus allegation of assault and abusing by caste name.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellants , above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, SC/ST Act, Sitamarhi in connection with



Sitamarhi P.S.Case no.63 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

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

(Vinod Kumar Sinha, J)

chn/-

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CAV DATE	
Uploading Date	
Transmission Date	

