

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.598 of 2019

Arising Out of PS. Case No.-193 Year-2017 Thana- JOGAPATTI District- West Champaran

1. AFAL ANSARI, Son of Mir Hasan Mian.
2. Abul Hasan Ansari, Son of Late Sahebjan Mian
3. Mir Hasan Mian @ Mir Hasan Ansari, Son of Late Sahebjan Mian
4. Bhutti Ansari, Son of Adalat Mian. All residents of Village- Semari Bhawanipur, P.S. Jogapatti (Nawalpur), District West Champaran

... .. Appellants

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Ashok Kumar Gupta, Advocate
For the Respondent/s : Mr.Sadanand Paswan, Special P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 26-02-2019

This appeal is for grant of pre-arrest bail to the appellants against the order dated 5.1.2019 passed by Additional Sessions Judge-I-Special Judge, West Champaran, Bettiah, in A.B.P. No.2538 of 2018 by which learned Special Judge has rejected prayer for pre-arrest bail of the appellants, who have been made accused in Jogapatti (Nawalpur) P.S.Case No. 193 of 2017, registered under Sections 323. 341. 504/34 of the Indian Penal Code and Section 3(i)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the accused persons, including the appellants is of assault to the informant and there is specific allegation of assault against Ram Roop Ram.

Submission of learned counsel for the appellants is that though allegation has been attributed against the appellants and



police after investigation submitted final form not finding the case true but cognizance has been taken.

Heard learned Special P.P.

Having heard both sides and in the facts and circumstances, let the appellants, named above, be released on bail, in the event of arrest or surrender, on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-I-cum-Special Judge, West Champaran, Bettiah, in connection with Yogapatti (Nawalpur) P.S. case No. 193 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C. and one of the bailors of the appellants shall be a local person, having sufficient immoveable properties within the jurisdiction of court concerned.

Accordingly, the appeal is allowed and the impugned order dated 5.1.2019 is set aside.

(Vinod Kumar Sinha, J)

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CAV DATE	
Uploading Date	
Transmission Date	

