

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1163 of 2019

Arising Out of PS. Case No.-72 Year-2018 Thana- DHANKUND District- Banka

MD. USMAN Son of Late Shahdiyanat Resident of Village - Rahmat nagar,
P.S.- Dhankund, Distt.- Banka.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjay Kumar Jha
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 03-04-2019

Heard the parties.

The appellant is apprehending his arrest in connection with Dhankund P.S.Case No.72 of 2018, registered for offences punishable under Sections 341, 323, 504, 506/34 of the Indian Penal Code and Section 3(1)(r)(w) of SC/ST (Prevention of Atrocities) Act.

Allegation against the appellant is of assaulting the son of the informant.

Submission of the learned counsel for the appellant is that there is no allegation of abusing by caste name also against the appellant and other Sections of the Indian Penal Code are bailable in nature as well as the other co-accused persons having similar allegation have been granted privilege of anticipatory bail, vide judgment dated 14.12.2018 passed in Cr. Appeal (SJ) No.3847 of 2018, which he has also stated on oath in para no.12 of the memo of appeal.

Heard learned Spl.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 Addl. Sessions Judge-I, Banka in connection with Dhankund P.S.Case No.72 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid observation, this appeal is allowed and the impugned order dated 11.12.2018 is set aside.

(Vinod Kumar Sinha, J)

chn/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

