

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1074 of 2019

Arising Out of PS. Case No.-480 Year-2018 Thana- KRITYANAND NAGAR District-
Purnia

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1. MD SAKIM Son of Late Nazar Ali Resident of Village - Devi Nagar, Pipar Tolla, P.S.- K. Nagar, District - Purnea.
 2. Md. Kousar@ Md. Kousar Ali Son of Md. Sakim Resident of Village - Devi Nagar, Pipar Tolla, P.S.- K. Nagar, District - Purnea.
 3. Sajaida Khatoon Daughter of Md. Sakim Resident of Village - Devi Nagar, Pipar Tolla, P.S.- K. Nagar, District - Purnea.
 4. Gulshan Khatoon Daughter of Md. Sakim Resident of Village - Devi Nagar, Pipar Tolla, P.S.- K. Nagar, District - Purnea.
 5. Mahajani Khatoon Daughter of Md. Sakim Resident of Village - Devi Nagar, Pipar Tolla, P.S.- K. Nagar, District - Purnea.
 6. Firoja Khatoon Wife of Md. Sakim Resident of Village - Devi Nagar, Pipar Tolla, P.S.- K. Nagar, District - Purnea.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ajit Kumar Singh
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL JUDGMENT

Date : 15-05-2019

Heard learned counsel for the parties.

This appeal under Section 14A(2) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 has been directed against the order dated 16.02.2019 passed by learned 1st Additional Sessions Judge -cum- Special Judge SC/ST Act, Purnia in connection with K. Nagar (Sri Nagar) P.S. Case No. 480 of 2018 registered under Sections 341, 323, 379, 504, 506/34 of the Indian Penal Code and Section 3(i)(iii)(iv)(ix) of SC/ST (POA) Act, whereby the prayer for pre-arrest bail of the appellants has been rejected.

Learned counsel appearing for the appellants



submits that the appellants, who are of clean antecedent, are innocent and have not committed any offence. In fact, there is general and omnibus allegation against the appellants and no specific allegation is attributed to them. Moreover, there is land dispute between the parties, which is evident from Annexure-2. Hence, the appellants may be granted the privilege of pre-arrest bail.

Considering the facts and circumstances of the case, let the above named appellants in the event of their surrender within a period of four weeks 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 1st Additional Sessions Judge -cum- Special Judge, SC/ST POA Act, Purnea in connection with K. Nagar (Sri Nagar) P.S. Case No. 480 of 2018 subject to the conditions laid down under Section 438(2) of the Cr.P.C.

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

(Arvind Srivastava, J)

Brajesh/-

Uploading Date	
Transmission Date	

