

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1272 of 2019**

Arising Out of PS. Case No.-41 Year-2018 Thana- SC/ST District- Banka

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1. MD. GALIB RAZA Son of Gulam Jilani
 2. Md. Shahbaz Son of Md. Tabarak
- Both are resident of Village - Belari, P.S.- Shambhuganj, District- Bhagalpur

... .. Appellant/s

Versus

THE STATE OF BIHAR Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Ranjan 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 appellants are apprehending their arrest in connection with SC/ST P.S.Case No.41 of 2018 dated 31.12.2018, registered for offences punishable under Sections 341, 323, 385, 427, 354, 504, 506/34 of the Indian Penal Code and Section 3(i)(r)(w) of SC/ST (Prevention of Atrocities) Act.

The whole allegation against the appellants is that while the informant, who is Up-Mukhiya and Member of the Implementation Committee of Ward No.7, was returning , they assaulted her, torn her blouse and the register and also threatened her.

Submission of the learned counsel for the appellants is that the appellant no.1 is the RTI activist and earlier he had also filed a complaint against the informant and others before the S.D.O., which is Anneuxre-2 and later on also filed a petition before the Public Grievance Redressal Officer, on which the inquiry was ordered and the



matter has come in the PIL in the Hon’ble High Court also due to that the appellants have been made accused in this case.

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 1st, Banka in connection with ABP No.79 of 2019, arising out of SC/ST P.S.Case no.41 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid direction, this appeal is allowed and the impugned order is set aside.

(Vinod Kumar Sinha, J)

chn/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

