

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1401 of 2019

Arising Out of PS. Case No.-454 Year-2018 Thana- BAIRIYA District- West Champaran

1. MOTAB MIAN @ MAHTAB ALAM Son of Kalam Mian. Resident of Village - Bagahi Tamolia Tola, P.S.- Bairiya, Distt - West Champaran.
2. Seraj Mian @ Seraj Alam Son of Kalam Mian Resident of Village - Bagahi Tamolia Tola, P.S.- Bairiya, Distt - West Champaran.
3. Amjad Mian @ Amjad Alam @ Amjay Alam Son of Mahmood Mian Resident of Village - Bagahi Tamolia Tola, P.S.- Bairiya, Distt - West Champaran.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sanjeev Kumar Shrivastava
For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL JUDGMENT

Date : 19-06-2019

Heard learned counsel for the appellants and
learned Spl. P.P. for the State.

The appellants seek pre-arrest bail in connection
with Bairiya P.S. Case No. 454 of 2018 registered under
Sections 341/325/323/379/504/34 of the Indian Penal Code
and Section 3(i) (r) (s) of the Scheduled Castes and Scheduled
Tribes (Prevention of Atrocities) Act.

Submission of learned counsel for the appellants
is that the appellants have no criminal antecedent. They are
innocent and have falsely implicated in the present case.



There is general and omnibus allegation against the appellants. Further submission is that earlier, a case was lodged by the appellants' side against the husband of the present informant and others, as detailed in Annexure-2 to the bail application. Thereafter, the present F.I.R. is lodged with false allegation against the appellants.

Having heard both sides and in the facts and circumstances of the case, let the above named appellants 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 the 1st Additional Sessions Judge-cum-Special Judge, SC/ST Act, West Champaran, Bettiah in connection with Bairiya P.S. Case No. 454 of 2018, subject to the conditions as laid down under section 438(2) of Cr. P.C.

Accordingly, the appeal is allowed and the impugned order dated 25.02.2019 is set aside.

(Arvind Srivastava, J)

shailendra/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

