

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1334 of 2019**

Arising Out of PS. Case No.-46 Year-2017 Thana- COMPLAINT CASE District- Kishanganj

1. MAHFUZ ALAM Son of Budali Sarkar @ Abdul Jalil
 2. Fethebur Rahman Son of Saidur Rahman
 3. Mojibur Rahman Son of Tahir
 4. Dr. Moujib @ Mojib Son of Emamuddin @ Emammoddin
- All are Resident of Village-Bararo, P.S-Kishanganj, District-Kishanganj.

... .. Appellant/s

Versus

1. THE STATE OF BIHAR Bihar
2. Sakunti Devi Wife of Sagar Rishidev, Resident of Village-Bararo, P.S-Kishanganj, District-Kishanganj.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Amal Kumar Sinha
For the Respondent/s : Mr.Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT**

Date : 05-04-2019

‘ Heard the parties.

The appellants are apprehending their arrest in connection with Special Case No.30/18 arising out of Complaint Case No.46C/2017 , registered for offences punishable under Sections 147, 341, 323, 448, 504, 427 of the Indian Penal Code and Section 3(1)(r)(s)(Z) of SC/ST (Prevention of Atrocities) Act.

Allegation against the appellants who are four in numbers is that they came along with the other accused persons, while the informant was fixing a hand pump, and assaulted and her by caste name.

Submission of the learned counsel for the appellants is that no specific allegation has been attributed against any of them and considering the same, some of



the appellants have been granted privilege of bail vide judgment dated 29.3.2019 passed in Cr. Appeal (SJ) No.1146 of 2019.

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. District and Sessions Judge-1st cum – Special Judge, SC/ST Act, Kishanganj, in connection with Special Case No.30 of 2018 arisen out of Complaint Case No.46C/2017, 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 is set aside.

(Vinod Kumar Sinha, J)

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CAV DATE	
Uploading Date	
Transmission Date	

