

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1885 of 2019

Arising Out of PS. Case No.-137 Year-2018 Thana- DAGARUA District- Purnia

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1. MD. NAJAM @ MD. NIJAM Son of Rasid Resident of Village - Rana, P.S.-
Dagarwa, District- Purnea
 2. Jainul Son of Sokai Resident of Village - Rana, P.S.- Dagarwa, District-
Purnea
 3. Arif Son of Maksud Resident of Village - Rana, P.S.- Dagarwa, District-
Purnea
 4. Saddam Son of Domar Resident of Village - Rana, P.S.- Dagarwa, District-
Purnea
 5. Dokhai Son of Anamul Resident of Village - Rana, P.S.- Dagarwa, District-
Purnea
 6. Ugni Son of Makul Resident of Village - Rana, P.S.- Dagarwa, District-
Purnea
 7. Kaishar Son of Makul Resident of Village - Rana, P.S.- Dagarwa, District-
Purnea
 8. Sarwar Son of Sk Ainul Resident of Village - Rana, P.S.- Dagarwa, District-
Purnea

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Ram Prawesh Kumar

For the Respondent/s : Mr.Binay Krishna

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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 25.03.2019 passed by learned 1st Additional Session Judge-cum-Special Judge SC/ST Act, Purnea in connection with Dagarua P.S. Case No. 137 of 2018 registered under Sections 147, 148, 149, 341, 323, 324, 354B, 427, 379, 504, 506 of the Indian Penal Code and Section 3(1)(z) 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, the FIR has been lodged after lapse of five days from the date of occurrence without explaining the plausible delay. No specific case is made out against these appellants. 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 Session Judge-cum-Special Judge SC/ST Act, Purnea in connection with Dagarua P.S. Case No. 137 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/
S. Katyayan/-

Uploading Date	
Transmission Date	

