

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2035 of 2019

Arising Out of PS. Case No.-162 Year-2018 Thana- CHENARI District- Rohtas

1. Mumtaz Quraishi Son of Maisur Quraishi Resident of Village - Khurmabad, P.S.- Chenari, District- Rohtas
2. Shatiyan Quraishi @ Sufiyan Quraishi Son of Maisur Quraishi Resident of Village - Khurmabad, P.S.- Chenari, District- Rohtas
3. Nathuni Quraishi Son of Late Idu Quraishi Resident of Village - Khurmabad, P.S.- Chenari, District- Rohtas
4. Samsher Quraishi @ Samsher Mian Son of Late Jadu Quraishi Resident of Village - Khurmabad, P.S.- Chenari, District- Rohtas

.. ... Appellant/s

Versus

The State of Bihar

... ... Respondent/s

Appearance :

For the Appellant/s : Mr. Rajani Kant Singh
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL JUDGMENT

Date : 22-05-2019

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

The appellants seek pre-arrest bail in connection
with Chenari P.S. Case No. 162 of 2018 registered under
Sections 147, 323, 341, 307, 504, 414 of the Indian Penal
Code and Section 3(i) (r) (s) of the Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act and section
11(a) (d) (e) (g) of the Prevention of Cruelty to Animal Act.

Submission of learned counsel for the appellants
is that similarly situated co-accused persons have already
been allowed bail by a Bench of this Court vide Cr. Appeal
(SJ) No. 589 of 2019 on 26.02.2019.



Learned Spl. P.P. opposed the prayer of the appellant no. 5 by contending that there is direct allegation of assault by means of *lathi* against him by calling caste name. Hence, appellant no. 5 does not deserve anticipatory bail.

Having heard both sides and in the facts and circumstances of the case, prayer of the appellant no. 5 Samsher Quraishi @ Samsher Mian, is rejected and at the same time, the above named appellants no.1 to 3 are directed to 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, Rohtas at Sasaram in connection with Registered Case No. 228 of 2018 arising out of Chenari P.S. Case No. 162 of 2018, subject to the conditions as laid down under section 438(2) of Cr. P.C.

Accordingly, the appeal is partly allowed and the impugned order is set aside, except appellant no. 4.

(Arvind Srivastava, J)

shailendra/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

