

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.100 of 2019

Arising Out of PS. Case No.-104 Year-2017 Thana- NARHATT District- Nawada

1. Sanni Kumar @ Shantanu Kumar son of Bilash Prasad @ Rambilash Prasad Kushwaha @ Ram Bilash Prasad
2. Bilash Prasad @ Rambilash Prasad Kushwaha @ Rambilash Prasad sobn of Late Somar Prasad
Both R/O village Gngta P.S.Narhat, District Nawada

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Arjun Prasad
For the Respondent/s : Mr.Sri Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 21-02-2019

By way of this memo of appeal, preferred under Section 14(A) of the Scheduled Caste/Scheduled Tribes (Prevention of Atrocities) Act, 1989, appellants seeks for setting aside the order dated 4.12.2018 passed in Narhat P.S.Case No.104 of 2017 for the offences punishable under Section 147, 148, 149, 341, 323, 504, 506, 379,307 of the Indian Penal Code and Section 3(i) (r), 3(1)(w),3(1)(x) of SC/ST Act by the learned Ist Addl. District and Sessions Judge cum Special (SC/ST) Judge, Nawada whereby and whereunder, the appellant's application for grant of anticipatory bail has been rejected.

Allegation against the appellants as per FIR is of assault to the informant and snatching away of Rs.26,000/- by the accused persons and they are not named in the FIR and later on during the course of investigation their name transpired in this case.



Submission of the learned counsel for the appellants is that they have not been named in the FIR and later on their name transpired and furthermore, the persons who are named in the FIR have been granted privilege of anticipatory bail, vide judgment dated 5.2.2019 passed in Cr. Appeal (SJ) No.4839 of 2018.

Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case, this appeal is allowed and the impugned order is set aside, let the appellant, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Ist Addl. District and Sessions Judge cum Special (SC/ST) Judge, Nawada in connection with Narhat P.S.Case No.104 of 2017, subject to condition as laid down under Section 438 of Cr.P.C.

(Vinod Kumar Sinha, J)

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CAV DATE	
Uploading Date	
Transmission Date	

