

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4650 of 2018

Arising Out of PS. Case No.-14 Year-2018 Thana- SC/ST District- Bhojpur

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1. Md. Tunu Khan, Son of Basir Khan
 2. Ghechu Khan @ Ghochu Khan @ Afjal, Son of Ilyas Khan @ Md. Ilyas Khan
 3. Md. Sagir, Son of Late Alluri Khan
 4. Sonu Khan @ Md. Sonu Khan, Son of Basir Khan
 5. Md. Samsir @ Samser Khan, Son of Alamuddin Khan, All Residents of Village-Chitrasenpur, P.S. Ara Muffasil, Distt.-Bhojpur

... .. Appellants

Versus

The State Of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr. Prabhat Kumar Singh, Advocate
For the Respondent/s : Mr. Binay Krishna, Special P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 04-02-2019

This appeal is for grant of pre-arrest bail to the appellants against the order dated 29.10.2018 passed by Additional District and Sessions Judge-I, Ara, in A.B.P. No.1650 of 2018 by which learned Sessions Judge has rejected prayer for pre-arrest bail of the appellants, who have been made accused in SC/ST Case No. 14, registered under Sections 147, 341, 323, 324, 504, 506 of the Indian Penal Code and Sections 3(i)(r)(s) & 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation as per written report of the informant is that accused Amir Khan and Ghochu Khan started beating her son, causing injuries at his eye and head and abused them by caste name and appellant Nos. 1, 3, 4 & 5 are also named in the written report.

Submission of learned counsel for the appellants is that no specific allegation has been attributed against them except appellant No.2 and they have falsely been implicated in this case.



Heard learned Special P.P.

Having heard both sides and in the facts and circumstances, let the appellant Nos. 1, 3 4, & 5, named above, 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 Additional District and Sessions Judge, Ara, in connection with SC/ST Case No. 14 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C. and one of the bailors of the appellants shall be a local person, having sufficient immoveable properties within the jurisdiction of court concerned.

So far appellant No.2 is concerned, in the facts and circumstances, I am not inclined to grant privilege of anticipatory bail to him. He should surrender and pray for regular bail, which shall be considered on its own merit, without being prejudiced by this order.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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CAV DATE	
Uploading Date	
Transmission Date	

