

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4390 of 2019

Arising Out of PS. Case No.-19 Year-2018 Thana- JANTA BAZAR District- Saran

1. NASIR SAI @ NASIR ALI Son of Mumtaj Sai Resident of Village-Dhamsar Tola Shobhipur, P.S- Janta Bazar, District- Saran.
2. Shakil Sai @ Shakil Sah Son of Bhutti Sai @ Aijajul Haque Resident of Village-Dhamsar Tola Shobhipur, P.S.-Janta Bazar, District-Saran.
3. Md. Sabir Ali @ Chhedi Sai @ Chhedi Son of Bhutti Sai @ Aijajul Haque Resident of Village-Dhamsar Tola Shobhipur, P.S.-Janta Bazar, District-Saran.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Anant Kumar Bhaskar, Advocate
For the Respondent/s : Mr.Sadanand Paswan, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 16-12-2019 Heard learned counsel for the appellants and learned
counsel appearing on behalf of the State.

The appellants are aggrieved by the order dated 29.08.2019 passed in ABP No. 2451 of 2019 by 1st Addl. Sessions Judge-cum-Special Judge, SC/ST Saran at Chapra arising out of Janta Bazar P.S. Case No. 19/2018 registered under Sections 147,148,149, 341, 323, 324, 504 IPC and 3(i)(r) (s) SC & ST Act.

Learned counsel for the appellants submits that the appellants have no criminal antecedent. On account of playing Orchestra scuffle took place in which the informant side



sustained injury. There is no specific allegation. In fact, the allegations are general and omnibus character. The nature of injury is simple and from perusal of the entire prosecution case the Court does not find that the materials are enough to attract the provisions of the Prevention of Atrocities on SC/ST.

In view of the above, the Court is inclined to grant bail to the appellants. Let the appellants, in the event of arrest/surrender within a period of four weeks from today, shall be released on bail on furnishing bail bond of Rs. 50,000/- (Fifty Thousand) each with two sureties of the like amount each to the satisfaction of 1st Additional Sessions Judge cum Special Judge, SC/ST Act, Saran at Chapra in connection with Janta Bazar P.S. Case No. 19 of 2018.

(Anil Kumar Upadhyay, J)

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