

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4266 of 2018

Arising Out of PS. Case No.-312 Year-2018 Thana- SIKARPUR District- West Champaran

1. Ajbullah Miyan @ Ajmullah Miyan Son of Late Shah Mohammad Miyan
2. Munni Khatoon Wife of Ajmullah Miyan @ Ajbullah Miyan
3. Rahman Miyan Son of Ajmullah Miyan @ Ajbullah Miyan
4. Gulfam Miyan Son of Ajmullah Miyan @ Ajbullah Miyan All resident of Village-Chegauna,P.S. Shikarpur,Distt-West Champaran

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Umesh Chandra Verma

For the Respondent/s : Mr.Sri Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 02-01-2019

Heard the parties.

The appellant seek anticipatory bail in connection with Anticipatory Bail Petition No.2200 of 2018 arising out of Shikarpur P.S.Case No.312 of 2018 dated 22.8.2018 registered for offences punishable under Section 341, 323, 325, 354, 354B, 504/34 of the Indian Penal Code , Section 27 of the Arms Act and Section 3 (i)(r) of SC/ST (Prevention of Atrocities Act) Act.

Allegation against the appellants as per FIR is that the appellant no.1 (Ajbullah Miyan) abused the informant and assaulted by *Talbar* and another co-accused has also abused by taking caste name and also assaulted by *lathi* and appellant no.4 (Gulfam Miyan) has unrobed the informant.

Submissions of the learned counsel for the appellants



is that there is case and counter case between the parties and the injuries are simple in nature and so far allegation of unrobbing the wife of the informant is concerned that is super addition to make the case serious.

Heard learned Special P.P. also.

In view of the facts and circumstances and submissions as stated above, let the appellants, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order 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 Sessions Judge-cum-Special Judge, West Champaran, Bettiah in connection with Shikarpur P.S. Case No.312 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

Accordingly, the impugned order dated 3.10.2018 is set aside , this appeal stands allowed.

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(Vinod Kumar Sinha, J)

