

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4433 of 2018

Arising Out of PS. Case No.-474 Year-2018 Thana- NATHNAGAR District- Bhagalpur

1. Jyoti Kumari Daughter oif Manoj Sah
2. Munni Devi Wife of Manoj Sah
3. Manoj Sah Son of Mahendra Sah All Residents of Mohalla- Silater, Champanagar, Police Station- Nathnagar, District- Bhagalpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Syed Masleh-Uddin Ashraf
For the Respondent/s : Mr.Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 02-01-2019 By way of this memo of appeal, preferred under Section 14(A)(2) of the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities)Act, 2016, appellants seek for setting aside the order dated 06.10.2018, passed in Nathnagar P.S. Case No. 474 of 2018 for the offences punishable under Sections 341, 323, 354(C)ii, 504/34 of the Indian Penal Code and Section 3(1) (r) of SC/ST Act, by the learned 3rd Additional District & Sessions Judge -cum- Special Judge, SC/ST Act, Bhagalpur, whereby and whereunder, appellants' application for grant of anticipatory bail has been rejected.

Allegation is that co-accused Manis Kumar used to make calls to the wife of informant, which was protested by the informant, on which, the co-accused including he appellants



came to the informant and assaulted him, his wife and mother and abused him by caste name.

It has been submitted on behalf of the appellants that no specific allegation has been attributed to the appellants rather only general and omnibus allegation has been attributed and although there is allegation of abusing the informant by caste name but not in the public view.

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 appellants, above named, in the event of their arrest or surrender before the Court below within a period of six weeks, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousands) each with two sureties of the like amount each to the satisfaction of learned 3rd Additional District & Sessions Judge -cum- Special Judge, SC/ST Act, Bhagalpur, in connection with Nathnagar P.S. Case No. 474 of 2018, subject to the conditions laid down under Section 438 (2) of Cr.P.C.

(Vinod Kumar Sinha, J)

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