

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4606 of 2018

Arising Out of PS. Case No.-160 Year-2012 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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1. Md. Mansoor @ Mansoor Alam, Son of Late Salamat
 2. Md. Azim
 3. Md. Abbas, Both sons of Md. Mansoor @ Mansoor Alam, All are residents of Village- Chhoti Naki P.S.- Sanokhar, District- Bhagalpur.

... .. Appellants

Versus

1. The State Of Bihar
2. Madan Mohan Harijan, son of Chhangal Harijan, resident of village Chhotki Naki, P.S. Sanokhar, District Bhagalpur

... .. Respondents

Appearance :

For the Appellant/s	:	Mr.Md. Nurul Hoda, Advocate
For the Respondent/s	:	Smt Usha Kumari No-1, Special P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 01-02-2019

This appeal is for grant of pre-arrest bail to the appellants against the order dated 2.11.2018 passed by Additional District and Sessions Judge-III-cum-Special Judge, SC/ST Act, Bhagalpur, in A.B.P. No. 2331 of 2018 by which learned Special Judge has rejected prayer for pre-arrest bail of the appellants, who have been made accused in Complaint Case No. 160 of 2012, lodged under Sections 323, 504, 379 of the Indian Penal Code and Section 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the appellants is of assault to the complainant and others and abused the complainant by taking caste name.

Submission of learned counsel for the appellants is that no occurrence has taken place and they have falsely been implicated in this case



and moreover no specific allegation has been attributed against any of the appellants.

Heard learned Special P.P.

Having heard both sides and in the facts and circumstances, let the appellants, 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-III-cum-Special Judge, SC/ST Act, Bhagalpur, in connection with Complaint Case No. 160 of 2012, 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.

Accordingly, the appeal is allowed and the impugned order dated 2.11.2018 is set aside.

(Vinod Kumar Sinha, J)

spal/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

