

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4778 of 2018

Arising Out of PS. Case No.-21 Year-2016 Thana- KHAJANCHI HAT District- Purnia

-
1. Md. Matiur Rahman @ Matiur Rahman @ Matto, Son of S.K. Mohir,
Resident of Village - Chappan, P.S.- Bhawanipur, District - Purnea
 2. Md. Alam, Son of Md. Habib, Resident of Village - Madhav Nagar, P.S.-
Bhawanipur, District - Purnea

... .. Appellants

Versus

The State Of Bihar

... .. Respondent

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 05-02-2019

This appeal is for grant of pre-arrest bail to the appellants against the order dated 2.11.2018 passed by Additional Sessions Judge-I-cum-Special Judge, Purnea, in A.B.P. No.50 of 2018/CIS No. 50 of 2018, by which learned Sessions Judge has rejected prayer for pre-arrest bail of the appellants, who have been made accused in K.Hat P.S.Case No. 21 of 2016, registered under Sections 147, 148, 149, 448, 386, 504, 34 of the Indian Penal Code and Section 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the accused persons is of assaulting the informant and of threatening for withdrawing a case and not to depose against them.

Submission of learned counsel for the appellants is that they are not named in the FIR and later on their names transpired during course of investigation and nothing specific has been attributed against them.

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 Sessions Judge-I-cum-Special Judge, Purnea, in connection with K. Hat P.S. case No. 21 of 2016, 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	

