

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.957 of 2020

Arising Out of PS. Case No.-204 Year-2019 Thana- RIGA District- Sitamarhi

1. MD. ANWAR MIAN @ MD. ANWAR MANSURI @ ANWAR MIAN Son of Md. Samsul Mansuri Resident of Village - Majhaura, P.S. - Riga, District - Sitamarhi
2. Asman Khatoon Wife of Md. Anwar Mian @ Md. Anwar Mansuri Resident of Village - Majhaura, P.S. - Riga, District - Sitamarhi

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Sanjay Kumar
For the Respondent/s	:	Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 12-02-2021 Heard learned counsel for the appellants and learned APP for the State.

The matter relates to grant of anticipatory bail to the appellants in connection with a case registered for the offences under Sections 341, 323, 354, 379, 504/34 of the Indian Penal Code and Sections 3(i)(v)(s) of the SC/ST (Prevention of Atrocities) Act, 1989.

The prosecution case, in short is that the appellants abused the informant and assaulted her by means of fists, slaps and leg and pulled her hair and they abused her by taking her caste name.

It has been submitted on behalf of the appellants that the appellants have got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the appellants. The appellants have falsely been implicated in the present case. General



and omnibus allegation has been made. No specific overt act is alleged against the appellants. The alleged occurrence has not taken place within public view. Hence no offence under the SC/ST Act is attracted in the present case.

On behalf of the State, it is submitted that the appellants are named in the F.I.R.

In view of the aforesaid facts and circumstances, the order dated 14.01.2020, passed by the learned Special Judge, SC/ST Act, Sitamarhi vide A.B.P. No.2473 of 2019/ 229 of 2019 in connection with Riga P.S. case No.204 of 2019, is set aside. The criminal appeal is allowed.

Accordingly, the appellants, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST Act, Sitamarhi in connection with Riga P.S. case No.204 of 2019.

(Sudhir Singh, J)

Narendra/-

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