

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1049 of 2020

Arising Out of PS. Case No.-249 Year-2018 Thana- RAJAOLI District- Nawada

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HASIM KHAN Son of Late Hudu Khan Resident of Village - Bhupatpur,
P.S.- Rajauli, District - Nawada

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Manoj Kumar

For the Respondent/s : Mr.Usha Kumari 1

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-08-2021 Heard learned counsel for the appellant and learned
Special P.P. for the State through virtual mode.

Re. I.A. No. 1 of 2021

The present interlocutory application has been filed
for condoning the delay in filing the present appeal.

Considering the statements made in paragraph Nos. 3
to 6 of the interlocutory application and the submission made in
support thereof, I.A. No. 1 of 2021 is allowed. The delay in
filing the appeal is condoned.

Cr. Appeal (S.J.) No. 1049 of 2020

Learned counsel for the appellant is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks after restoration of normalcy.

The appellant has challenged the order dated



27.04.2019 passed by learned 1st Additional Sessions Judge-cum- Special Judge, Nawada in ABP No. 504/2019 in connection with Rajauli P.S. Case No. 249 of 2018 registered for the offences under sections 341, 323, 504, 34 of the Indian Penal Code and 3(i)(r)(s) of SC/ST (Prevention of Atrocities) Act whereby the prayer made on behalf of the appellant for grant of anticipatory bail has been rejected.

The earlier anticipatory bail application of the appellant filed along with others was rejected vide Annexure-1 to the present appeal by a Coordinate Bench of this Court as back as on 05.08.2019. This is the second attempt for grant of anticipatory bail made on behalf of the appellant.

It has been submitted that the appellant is an old aged person not keeping good health and the matter has already been compromised.

Considering the aforesaid, I am not inclined to interfere with the earlier order dated 05.08.2019 passed by a Coordinate Bench of this Court in Cr. Appeal (SJ) No. 2458 of 2019.

Accordingly, the present appeal stands dismissed. If the appellant surrenders in the Court below and prays for regular bail, the same shall be considered on its own merit without being



prejudiced by this order taking into account that the petitioner is an old aged person and the fact that the matter has already been compromised between the parties.

(Sudhir Singh, J)

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