

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1964 of 2020

Arising Out of PS. Case No.-48 Year-2020 Thana- THAKURGANJ District- Kishanganj

MD. ALAM Son of Late Mahbbat Hussain Resident of Sakin- Syamlal Bhatta,
P.S.- Thakurganj, District- Kishanganj.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Raj Kumar

For the Respondent/s : Ms.Usha Kumari

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 18-01-2021 Heard learned counsel for the parties.

This appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act has been preferred against the order dated 12.08.2020, passed by learned 1st Additional Sessions Judge-cum-Special Judge, Kishanganj, in Thakurganj P.S. Case No. 48 of 2020, whereby the appellant's prayer for regular bail has been rejected.

A quarrel between the female members of two families appears to be the background in which the alleged occurrence took place. It is alleged that the co-accused Lal Bahadur and other persons named in the FIR had become violent and they were using abusing language against the informant's husband and other family members. There is



specific allegation against co-accused Lal Bahadur of having assaulted the informant's husband with a dagger in his abdomen leading to grievous injuries to which he subsequently succumbed.

Learned counsel appearing on behalf of the appellant appears to be correct in his submission that there is no specific overt act alleged against him. In my opinion, in view of nature of accusation in the FIR, a case for grant of regular bail is made out. The impugned order dated 12.08.2020 requires interference by this Court, which is accordingly set aside.

This appeal is allowed. Let the appellant, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned 1st Additional Sessions Judge, Kishanganj, in Thakurganj P.S. Case No. 48 of 2020.

(Chakradhari Sharan Singh, J)

Rajesh/-

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