

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2102 of 2020

Arising Out of PS. Case No.-88 Year-2020 Thana- SIMRI District- Darbhanga

1. Md. Ashfaque Khan @ Ashfaque Khan @ Ashfaq Khan Son of Ayub Khan, Resident of Village- Bashtwara, P.S.- Simri, District- Darbhanga.
2. Imran Khan @ Md. Imran Khan Son of Md. Ashfaque Khan @ Ashfaque Khan @ Ashfaq Khan, Resident of Village- Bashtwara, P.S.- Simri, District- Darbhanga.
3. Mumtaz Khan Son of Late Chhitan Khan, Resident of Village- Bashtwara, P.S.- Simri, District- Darbhanga.
4. Ruhi Khanam Wife of Mumtaz Khan, Resident of Village- Bashtwara, P.S.- Simri, District- Darbhanga.
5. Shahanawaz Khan @ Shahnawaz Khan Son of Maksood Khan, Resident of Village- Bashtwara, P.S.- Simri, District- Darbhanga.
6. Sufiyan Khan Son of Qumre Alam Khan, Resident of Village- Gauri, P.S.- Nanpur, District- Sitamarhi.

... .. Appellant/s

Versus

1. The State of Bihar
2. Saroj Kumar Das Son of Ram Bharos Das, Resident of Village- Bashtwara, P.S.- Simri, District- Darbhanga.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Md. Anis Akhtar
For the Respondent/s : Mr. A.G

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 09-02-2021 Heard learned counsel for the appellants and learned
counsel for the State.

The appeal is admitted.

In this appeal, the appellants are seeking anticipatory
bail in connection with Simri P.S. Case No. 88 of 2020
registered for offence punishable under sections 147, 148, 149,
341, 323, 307, 504 & 506 of the Indian Penal Code and sections



3 (i) (r) (s) of the SC/ST (POA) Act.

It transpires from the record that the present case has been lodged on account of some construction of the house, both the parties started pelting stones to each other. In the present case, the names of the accused persons have been mentioned and allegation has been made that ladies were also involved in pelting stones.

Looking to the facts and circumstances of the case, the impugned order dated 15.06.2020 is set aside and the appellants above named, in the event of arrest or surrender before the court below within six weeks from today, are directed to be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of 1st Additional District and Sessions Judge-cum-Special Judge (ST& ST Act), Darbhanga in connection with Simri P.S. Case No. 88 of 2020, subject to condition that one of the bailors of the appellants shall be their close relative.

(Shivaji Pandey, J)

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