

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2192 of 2020

Arising Out of PS. Case No.-89 Year-2020 Thana- NAUTAN District- West Champaran

1. Reyaz Alam S/o Nazir Main,
 2. Meraj Alam S/o Nazir Main,
 3. Bhim Alam S/o Saiyad Main,
 4. Mumtaj Alam S/o Geyasuddin Mian
- All are resident of village-Dhumnagar Kachari Tola, Ward No.10, P.S- Nautan, District-West Champaran.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjeev Kumar Shrivastava, Adv.
For the Respondent/s : Usha Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 05-03-2021 Heard learned counsel for the appellants and learned
counsel for the State.

The appeal is admitted.

This is an appeal under section 14 (A) (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, against the refusal of prayer for bail vide order dated 22.06.2020 passed by 1st Additional District and Sessions Judge-cum-Special Judge, SC/ST POCSO Act, Bettiah, West Champaran in connection with Nautan P.S. Case No. 89 of 2020 registered for offence punishable under sections 341, 323, 337, 307, 504, 506/34 of the Indian Penal Code and sections 3



(i) (r) (f) / 3(2) (v-a) of the SC/ST Act, whereby and whereunder the prayer for anticipatory bail made on behalf of the appellants has been rejected.

Allegation has been made that dispute arose between the parties on account of grazing of goat.

There is case and counter case from both sides and the injury shows that it is not a very serious in nature.

Looking to the entirety of the matter, the impugned order dated 22.06.2020 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, SC/ST POCSO Act, Bettiah, West Champaran in connection with Nautan P.S. Case No. 89 of 2020, subject to the condition that one of the bailors of the appellants shall be their close relative. The appellants will not induce any witness or tamper with the evidence. The appellants shall cooperate in the disposal of trial and make themselves available as and when required by the court. In case of failure on two consecutive dates without any valid reason, the court below shall be at liberty to cancel the



bail bonds of the appellants.

Accordingly, this appeal is allowed.

(Shivaji Pandey, J)

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