

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3598 of 2021

Arising Out of PS. Case No.-447 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

MD. ISRAFIL S/o MD. ILIYAS R/o VILLAGE-SAHPUR, P.S-
BEGUSARAI MUFFASIL (LAKHO O.P.), DISTRICT-BEGUSARAI.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Jai Prakash Singh, Advocate
For the Respondent/s : Ms. Usha Kumari 1, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 20-09-2021 Heard learned counsel for the parties through video conferencing.

The instant appeal has been preferred against the order dated 28.7.2021 passed by the learned Special Judge, SC/ST(POA) Act, Begusarai, whereby the prayer for bail of the appellant in connection with a case registered under sections 307, 354B and other sections of the Indian Penal Code and section 3 of the SC and ST (Prevention of Atrocities) Act, was rejected.

As per the prosecution case, it is stated by the informant that accused Md. Allauddin @ Tinku misbehaved with her daughter and abused her in the name of her caste. It is stated that even in the past, inspite of complaint, no steps have



been taken. It is lastly stated that the other named persons including the appellant herein have also assaulted and misbehaved with her.

It is submitted by learned counsel for the appellant that the appellant has been falsely implicated in the case. The allegation is solely against accused Allauddin @ Tinku. So far as the other accused persons including the appellant herein are concerned, although they have been named in the FIR but no details of any occurrence have been given. The appellant is in custody since 16.4.2021. He has no criminal antecedent and coaccused, namely, Md. Sahid and Md. Eqbal have been enlarged on bail vide order dated 7.7.2021 (Annexure-2) passed in Cr. Appeal (SJ) No. 174 of 2021.

Heard learned Special P.P. appearing for the State.

Having heard learned counsel for the parties taking into consideration the facts and circumstances of the case, the contents of the FIR and the appellant having remained in custody since 16.4.2021, the appeal is allowed and the order impugned dated 28.7.2021 passed in Begusarai Muffasil (Lakho O.P.) P.S. Case no. 447 of 2020 is set aside.

The appellant is directed to be enlarged on bail in connection with Begusarai Muffasil (Lakho O.P.) P.S. Case no.



447 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, SC/ST(POA) Act, Begusarai.

(Partha Sarthy, J)

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