

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4211 of 2019

Arising Out of PS. Case No.-8 Year-2019 Thana- SC/ST District- Jehanabad

1. Mantu Qurashi @ Mantu Quraishi, Son of Alamgir Quraishi @ Alamgir Kuraishi, Resident of Village Faridpur, P.S. Shakurabad, District Jehanabad.
2. Rajbi Qurashi @ Rajbi Quraishi, Son of Kamrudin Quraishi, Resident of Village Faridpur, P.S. Shakurabad, District Jehanabad.
3. Safdar Qurashi @ Safdar Quraishi, Son of Moin Quraishi, Resident of Village Faridpur, P.S. Shakurabad, District Jehanabad.
4. Suleman Qurashi @ Suleman Quraishi, Son of Late Tejan Quraishi, Resident of Village Faridpur, P.S. Shakurabad, District Jehanabad.
5. Samoj Qurashi @ Samoj Quraishi @ Mochhu Qurashi, Son of Arman Quraishi, Resident of Village Faridpur, P.S. Shakurabad, District Jehanabad.
6. Mussu Qurashi @ Mussu Quraishi, Son of Phekan Quraishi, Resident of Village Faridpur, P.S. Shakurabad, District Jehanabad.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellants	:	Mr. Uday Narayan Singh, Advocate
For the State	:	Mr. Binay Krishna, Special P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 15-11-2021 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as ‘the SC/ST Act’) against the refusal of prayer of anticipatory bail vide order dated 29.05.2019, passed by learned Additional Sessions Judge-1st-cum-Special Judge, Jehanabad in connection with Jehanabad



SC/ST P.S. Case No.08 of 2019, registered under Sections 147, 149, 341, 323, 337, 338, 504, 379 and 506 of the Indian Penal Code and Sections 3(1)(r)(5), 3(2)(va) of the SC/ST Act.

The prosecution case, in brief, is that on 11.02.2019, the informant was going to purchase some household articles from the shop. The appellants were abusing someone by naming his caste. When the informant inquired about the reason for abuse, the appellants abused the informant by naming his caste. When the informant protested, Mantu Quraishi assaulted the informant by means of hockey on his head. Thereafter all the appellants assaulted the informant indiscriminately by means of lathi and hockey. When the informant fell down on the ground, Mussu Quraishi took away Rs.3000/- from his pocket and Suleman Quraishi snatched chain made of gold from his neck. Mantu Quraishi also assaulted his sister on her right hand by means of hockey.

Learned counsel for the appellants submits that the appellants are innocent and have falsely been implicated in the present case. No specific overt act is alleged against the appellants. No case is made out under Sections 3(1)(r)(5), 3(2)(va) of the SC/ST Act.

Learned Special P.P. opposed the prayer for



anticipatory bail of the appellants and submitted that the appellants assaulted the informant brutally and also abused him by naming his caste.

Having considered the facts aforesaid, I am not inclined to enlarge the appellants on anticipatory bail. The prayer for anticipatory bail of the appellants is rejected.

The appeal is dismissed.

(Anjani Kumar Sharan, J.)

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