

Arising Out of PS. Case No.-158 Year-2017 Thana- SAMASTIPUR District- Samastipur

- Appellant/s

Versus

- Respondent/s

For the Appellant/s : Mr.Kundan Kumar, Adv.
For the Respondent/s : Mr.Binay Krishna, Spl. P.P.

The appellants filed this appeal under Section 14(A) (2) of the S.C./S.T.(Prevention of Atrocities) Act for grant of anticipatory bail against the order dated 18.10.2019 passed by 1st Additional Sessions Judge, Samastipur in A.B.P. No.2435 of



2019 refusing the prayer for bail of the appellants.

Learned counsel for the appellants submits that present case is counter blast of Hasanpur P.S. Case No.157 of 2017. The informant alleged that the appellants and others came at her door and abused her calling her caste. When the informant protested, Nayeem Ali(the appellant No.2) pulled her sari and assaulted her by putting her down on the ground. Nandan Ram, the brother-in-law of the informant came to save but the accused persons also assaulted him. The accused persons picked up quarrel with Uma Shankar Singh. It is further submitted that Uma Shankar Singh is instrumental in instituting the case. Uma Shankar Singh is accused in Hasanpur P.S. Case No.157 of 2017. Uma Shankar Singh and others including Nandan Ram, the brother-in-law of the informant have been granted anticipatory bail by order dated 17.07.2018 passed in Criminal Appeal No.1545 of 2018.

Mr. Binay Krishna, learned Special P.P. did not dispute the fact.

Having considered the submissions and on perusal of the record, it appears that there is a case and counter case and on account of land dispute, both sides filed case and counter case. Thus, I find that the appellants deserve anticipatory bail. The



appeal is accordingly allowed. The impugned order is set aside.

Taking into consideration the facts aforesaid, let the appellants, above named, in the event of their arrest or surrender within a period of four weeks be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, S.C./S.T.(POA) Act, Samastipur in connection with Hasanpur P.S. Case No.158 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

Saurabh/-

U		T	
---	--	---	--

