

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1207 of 2022

Arising Out of PS. Case No.-15 Year-2019 Thana- MAHILA PS District- Jehanabad

Danish Alam @ Danish Mian Son Of Late Shamshad Alam @ Late Samu
Mian R/O Village- Damodarpur, P.S.- Barabar In The District Of Jehanabad

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sunil Kumar, Advocate
For the Respondent/s : Mr. Usha Kumari 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-07-2022 Heard learned counsel for the appellant and learned
Special P.P for the State.

The appellant has challenged the order dated 13.01.2022 passed by the learned Additional District and Sessions Judge-I, Jehanabad in connection with A.B.P. No. 1186 of 2021 (arising out of Jehanabad Mahila P.S. Case No. 15 of 2019) instituted for the offences punishable under Sections 341, 323, 379, 354(B), 509 of the Indian Penal Code and Section 3(i)(r)(s)(w)/3(2)(va) of the SC & ST (Prevention of Atrocities) Act, whereby their prayer for being released on anticipatory bail has been rejected.

It is a case of assaulting and scuffled by the appellant to the informant and snatched a Mangalsutra.

It is submitted by learned counsel for the appellant



that appellant has falsely been implicated in this case. There is general and omnibus allegation against the appellants. As per F.I.R, the occurrence has not committed in public view. Hence, the provisions under SC/ST Act would not be applicable in the case of the appellant.

Taking into account the aforesaid facts, this Court deems it appropriate to set aside the order dated 13.01.2022 passed by the learned Additional District and Sessions Judge-I, Jehanabad in connection with A.B.P. No. 1186 of 2021 arising out of Jehanabad Mahila P.S. Case No. 15 of 2019.

Accordingly, this appeal is allowed.

The appellants, above named are directed to be released on bail in the event of their arrest or surrender within a period of four weeks from today and on his furnishing bail bonds of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-I, Jehanabad in connection with Jehanabad Mahila P.S. Case NO. 15 of 2019.

(Sunil Kumar Panwar, J)

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