

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1472 of 2022**

Arising Out of PS. Case No.-12 Year-2022 Thana- SALAIYA District- Aurangabad

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1. Saifullah Ansari S/O Late Osman Gani Resident Of Beri Tola, Chaudhary Bigha, P.S.- Salaiya, District- Aurangabad
 2. Firoj Alam S/O Late Kallu Alam @ Raushan Ali Resident Of Beri Tola, Chaudhary Bigha, P.S.- Salaiya, District- Aurangabad
 3. Soljar Alam @ Afsar Alam S/O Late Kallu Alam @ Raushan Ali Resident Of Beri Tola, Chaudhary Bigha, P.S.- Salaiya, District- Aurangabad
 4. Buchi Khatoon @ Shamima Khatoon W/O Late Raushan Ali @ Kallu Alam Resident Of Beri Tola, Chaudhary Bigha, P.S.- Salaiya, District- Aurangabad
 5. Gulsan Ara @ Gulsan Praveen W/O Babloo Alam @ Md. Wasim Ansari Resident Of Beri Tola, Chaudhary Bigha, P.S.- Salaiya, District- Aurangabad
 6. Babloo Alam @ Md. Wasim Ansari S/O Abdul Rasid Ansari R/O Mohalla-Rafiganj, P.S.- Rafiganj, District- Aurangabad

... .. Appellants

Versus

1. The State Of Bihar
2. Renu Devi W/O Sunil Kumar Resident Of Beri Tola, Chaudhary Bigha, P.S.- Salaiya, District- Aurangabad

... .. Respondents

Appearance :

For the Appellant/s : Mr.Bhaskar Shankar
For the Respondent/s : Mr.Sadanand Paswan

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 31-08-2022 Heard learned counsel for the appellants and the State.

The present appeal is directed against the order dated 5.4.2022, passed by learned Additional Sessions Judge I cum Special Judge, SC/ST Act, Aurangabad in a case registered for the offence punishable under Sections 323,307/34 and other



allied sections of the Indian Penal Code and Section 3 (1) (r) (s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, whereby anticipatory bail of the appellants has been rejected.

Learned counsel for the appellants submits that There is a case and counter case in which both sides sustained injuries and allegation of abuse by calling caste name is exaggerated only with a view to harass and humiliate the petitioners. There is land dispute between the parties. No offence under the SC/ST Act is made out against the appellant.

Learned counsel for the state and the informant on the other hand oppose the prayer for bail.

Having regard to the submissions made by the parties and taking into consideration the materials available on record, this appeal is allowed and the impugned order dated 5.4.2022, is set aside.

Accordingly, in the event of arrest or surrender by the appellants, above named, before the court below within eight weeks from today, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge I cum Special Judge, SC/ST



Act, Aurangabad in Salaiya Police Station Case No. 12 of 2022.

(Prabhat Kumar Singh, J)

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