

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1052 of 2023

Arising Out of PS. Case No.-106 Year-2021 Thana- KHAGARIA District- Khagaria

MD. SAKIR @ MD. SAKIR REZA Son of Late Md. Amil @ Amil Hussain
R/V- Mukeri, Baigna (chhoti Baigna) P.s- Maranga (Krityanagar) Dist- Purnia
... .. Appellant/s

Versus

1. The State of Bihar
2. Arun Manjhi Son of Sudheshwar Manjhi R/V- Kerneti P.S- bakhtiyarpur
Dist- Patna
... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Mohit Shriwastava
For the Respondent/s : Mr.Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 25-04-2023 Learned counsel for the appellant is directed to remove
all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the appellant as well as learned
counsel for the informant.

This appeal has been preferred on behalf of the appellant
under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act for setting aside the order dated
25.01.2023 passed by the learned Additional Sessions Judge 1st,
Khagaria, arising out of Khagaria (Muffasil) P.S. Case No. 106 of
2021 G.R. No. 402 of 2021, registered for the offences punishable
under Sections 302, 379 of the Indian Penal Code & Section 3 (2) (v)
of SC and ST (Prevention of Atrocities) Act, whereby the prayer for
anticipatory bail of the appellants has been rejected.

As per allegation, some unknown criminals had hired the



vehicle of the son of the informant and after committing loot, they killed him.

The learned counsel for the appellant has submitted that the appellant is innocent and has falsely been implicated in this case. The name of the appellant has figured in confessional statement of Md. Jahid, who has been granted bail by a coordinate Bench of this Court in Criminal Appeal (SJ) No. 3850 of 2021. The appellant has no criminal antecedent and is under custody since 19.07.2022.

As such, the appeal is allowed and the impugned order dated 25.01.2023 passed by the learned Additional Sessions Judge 1st, Khagaria is set aside.

Accordingly, the appellants above-named, 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 1st, Khagaria in connection with Khagaria (Muffasil) P.S. Case No. 106 of 2021 G.R. No. 402 of 2021.

Office shall ensure that all defects are removed by the appellant within the stipulated time provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

Kundan/Nirmal

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

