

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.272 of 2024

Arising Out of PS. Case No.-107 Year-2023 Thana- DAWATH District- Rohtas

1. Azad Quraishi Son Of Late Kakoo Quraishi Resident Of Village- Kowath Ward No. 06, Ps- Dawath, Distt- Rohtas
2. Chhotan Quraishi Son Of Nathu Quraishi Resident Of Village- Kowath Ward No. 06, Ps- Dawath, Distt- Rohtas
3. Laddu Quraishi Son Of Nathu Quraishi Resident Of Village- Kowath Ward No. 06, Ps- Dawath, Distt- Rohtas
4. Abdul Quraishi @ Abdullah Quraishi Son Of Abdulahai Quraishi @ Abdulla Quraishi Resident Of Village- Kowath Ward No. 06, Ps- Dawath, Distt- Rohtas
5. Munna Quraishi Son Of Yuqub Quraishi Resident Of Village- Kowath Ward No. 06, Ps- Dawath, Distt- Rohtas
6. Mansoor Quraishi Son Of Teni Quraishi Resident Of Village- Kowath Ward No. 06, Ps- Dawath, Distt- Rohtas
7. Manjoor Quraishi Son Of Tenu Quraishi Resident Of Village- Kowath Ward No. 06, Ps- Dawath, Distt- Rohtas

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Sanjay Kumar Tiwary, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl. Public Prosecutor
For the Informant	:	Mr. Nagendra Upadhyay, Mr. Gopal Krishna Nishant, Advocates

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 24-07-2025 Heard learned counsel for the appellants, informant and the State.

2. This appeal has been filed against the order dated 08.12.2023 passed by learned Additional District Judge-XVII-cum-Exclusive Special Judge, SC/ST, Rohtas at Sasaram in connection with Dawath P.S. Case No. 107 of 2023, registered



under Sections 147, 149, 341, 323, 324, 325, 504, 506 of the Indian Penal Code and Section 3(i)(r)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellants has been rejected.

3. It is alleged that after a minor altercation between children of both the parties, all the F.I.R. named accused persons, including these appellants, entered into the house of informant, abused him with caste name and assaulted him by means of deadly weapons.

4. Learned counsel for the appellants submits that appellants are innocent and have committed no offence. As a matter of fact, present case is counter blast of Dawath P. S. Case No. 106 of 2023 lodged by one Yusuf Quraishi, relative of the appellants, against the son of informant and his associates. Allegation of assault is general and omnibus. Injuries allegedly sustained by the injured are simple in nature. Moreover, it is not the case of informant that alleged incident occurred within public view, as such, no offence under SC/ST Act is made out against appellants.

5. Learned Spl. Public Prosecutor for the State as well as learned counsel for the informant vehemently opposed the bail application.



6. Considering the nature of accusation, case and counter case and other facts and circumstances of the case, let the appellants, as named above, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional District Judge-XVII-cum-Exclusive Special Judge, SC/ST, Rohtas at Sasaram in connection with Dawath P.S. Case No. 107 of 2023.

7. Accordingly, this criminal appeal is allowed and impugned order dated 08.12.2023 is set aside with respect to these appellants only.

(Prabhat Kumar Singh, J)

Navya/-

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

