

IN THE COURT OF ADDL. DISTRICT & SESS. JUDGE-I cum SPECIAL JUDGE,
KAIMUR AT BHABHUA

I.A. No. 3 of 2021 in SC/ST - 26 / 2021

BHABUA P.S. CASE NO. 226 / 2021

STATE Vs. ARMAN RAYEEN & OTHERS

09/10/21 Present Sri Ramanand Singh, learned counsel on behalf of the petitioners and Sri Sanjay Singh, learned Spl. P. P. for the State. No one appears on behalf of victim. The S.P.P. certifies that due notice of the present bail petition has been served on the victim.

ORDER

The present is a regular bail petition filed on behalf of the accused namely, **Sattar Rayeen** who is in custody since 04.10.2021 in connection with Bhabua P.S Case No. 226 of 2021 filed U/s 341, 323, 504/34 of IPC & 3(1)(r)(s) of SC/ST Act. It is submitted that no other regular or anticipatory bail application on behalf of the petitioner has ever been filed either in this court or any superior court & that the petitioner has no criminal antecedents. Both the assertions have been affirmed by the learned Spl. P.P.

The facts alleged in the FIR, in brief, are that on the alleged date and time while the family members of the informant were out to attend the functions and the informant was alone at her home along with her younger sister, the petitioner came along with five other co-accused and started banging the door of the informant's house and abused them by calling caste names. When the neighbours came to the rescue of the informant and her sister, the accused abused and assaulted them as well. The informant then called up her uncle for help who came and was also assaulted by the accused. It is alleged that the accused were carrying *lathi and danda* in their hands and attacked the informant and the other victims with it.

The counsel for the petitioner argued for the grant of bail on the ground that the allegations levelled against him are false and fabricated and he has not committed any offence. That the petitioner has falsely been implicated in the case due to dirty village politics and all the allegations are omnibus in nature. Even from the allegation no case under SC/ST Act is

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made out against the petitioner and the other offence alleged are bailable in nature. The petitioner has surrendered before the court and undertakes to cooperate in the investigation and in the trial of the case. The petitioner is lying in custody since 04.10.2021. While the other co-accused have already been enlarged on bail.

The learned Spl PP opposed the bail petition on the ground of nature and gravity of the offence alleged.

Heard the counsels and perused the record. After having perused the record, submissions advanced by counsels and the other facts and circumstances of the case, the court finds it proper to enlarge the present petitioner on bail subject to the condition that the petitioner shall file an undertaking to the effect that he will cooperate in the investigation and trial of the case and shall remain present on each and every date of hearing. The petitioner is directed to be released on their furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of this court. The office is directed to accept the bail bonds complying with the social distancing norms issued by the Government and Hon'ble High Court. (Dictated)

Sd/-

**A.D.J.-1st cum Spl. Judge
Kaimur at Bhabhua**

