

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3 of 2018

Arising Out of PS.Case No. -353 Year- 2016 Thana -DHAKA District-
EASTCHAMPARAN(MOTIHARI)

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1. Wajul Ansari @ Sk. Wajul son of Feeda Ansari @ Sk. Feeda Hussain
resident of Village - Phulwariya, P.O. and P.S. Dhaka, District - East
Champaran.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Pravin Kumar, Advocate

For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 05-02-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), East Champaran, Motihari, in connection with Dhaka Police Station Case No.353 of 2016 registered under Sections 504/354A/427/379/307/436 and other minor sections of the Indian Penal Code and Sections 3(i)(r)/3(i)(z) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

In the occurrence for trivial dispute other named accused allegedly abused the informant by taking caste name. In



the subsequent occurrence, there is general and omnibus allegation against the appellant and others to have committed assault and theft. The appellant is in custody since 21.11.2017.

Considering the nature of allegation specially the fact that there is no offence disclosed under the provisions of SC/ST Act against the appellant, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with the aforesaid case, with condition that the appellant shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

Accordingly, the appeal stands allowed.

(Birendra Kumar, J)

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