

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.369 of 2018

Arising Out of PS.Case No. -96 Year- 2017 Thana -AKHODHIGOLA District- SASARAM
(ROHTAS)

- =====
1. Akbal Ansari, Son of Jannat Ansari,
 2. Jalil Ansari, Son of Late Garam Wasul Ansari @ Garam Rasul Ansari.
 3. Hashan Ansari, Son of Late Garam Wasul Ansari @ Garam Rasul Ansari, All residents of Village Gamharia, P.S.: Akorhigola, District-Rohtas.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sada Nand Roy, Adv.

For the Respondent/s : Mr. Sadanand Paswan, S.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 16-02-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail by the learned 1st Additional Sessions Judge-cum-Special Judge, Rohtas at Sasaram in Akorhigola P.S. Case No. 96 of 2017 registered under Sections 147, 149, 341, 323, 337, 338, 307, 504, 506 of the Indian Penal Code as well as Section 3(i)(r) of the SC/ST Act.

The FIR discloses simple occurrence of assault being committed by two groups. One of the appellants and another



of the informant.

The FIR does not disclose commission of any offence under the provisions of the SC/ST Act against the appellants. Hence, the appellants deserve anticipatory bail.

Hence, let the appellants, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.20,000/- (rupees twenty thousand) each 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, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellants shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellants.

Accordingly, this appeal stands allowed.

(Birendra Kumar, J)

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