

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.874 of 2019**

Arising Out of PS. Case No.-15 Year-2017 Thana- SANGRAMPUR District- East
Champaran

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ANWAR MIAN Son of jaowad Miyan Resident of Village- Sangrampur,
Ramna Tola, P.S.- Sangrampur, District- East Champaran

... .. Appellant/s

Versus

THE STATE OF BIHAR.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Subodh Kumar Mishra
For the Respondent/s : Mr.Usha Kumari 1

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL JUDGMENT

Date : 20-05-2019

Heard learned counsel for the appellant and learned

Spl. P.P. for the State.

This is an appeal under Section 14 (A) (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act against the refusal of prayer for bail vide order dated 19.1.2019 passed by learned 1st Addl. Sessions Judge-cum-Spl. Judge, SC/ST (Prevention of Atrocities) Act, East Champaran, Motihari in Sangrampur P.S. Case No. 15 of 2017 registered under Sections 353/504 of the Indian Penal Code and also under Section 3 (i) (x) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act.

Appellant along with five other accused persons is said to have intruded in the office of the B.D.O., Sangrampur, East



Champan and misbehaved with him and slated him in the name of his caste and also created hindrance in discharge of his official duties.

It is submitted by the learned counsel for the appellant that no such occurrence as alleged ever took place. Appellant has been falsely implicated in this case. Wife of the appellant has been selected for the post of Anganwari Sevika but she was not allowed to join on aforesaid post by the informant with ulterior motive and another person was allowed to join the said post and on protest made by the appellant he has been falsely implicated in this case. The allegation levelled against the appellant is not specific rather general and omnibus in nature. Appellant has been languishing in custody since 29.12.2018.

Learned Spl. P.P. for the State opposed the prayer for bail.

In the facts and circumstances of the case, the above named appellant is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions Judge-cum- Special Judge, Scheduled Caste/Scheduled Tribe (Prevention of Atrocities) Act, East Champaran, Motihari in connection with Sangrampur P.S. Case No. 15 of 2017 and also



conditions that appellant will not indulge this type of occurrence in future and if appellant found indulge in similar type of case his bail bond will be liable to be cancelled.

Accordingly, the impugned order is set aside and appeal is allowed.

(Prakash Chandra Jaiswal, J)

T.Kr./-

AFR/NAFR	NAFR
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