

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2190 of 2019**

Arising Out of PS. Case No.-521 Year-2015 Thana- BETTIAH CITY District- West
Champaran

MD. EJAJ @ EJAJ, S/o Vakil Miyan Resident of Mohalla- Purani Gudari,
Ward No. 12, P.S.- Bettiah Town (Kalibag O.P.), Dist.- West Champaran.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

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

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

ORAL ORDER

3 11-07-2019 Heard learned counsel for the appellant and learned
Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the SC/ST
Act against the refusal of prayer for anticipatory bail vide order
dated 07.03.2019 passed by learned 1st Addl. Sessions Judge
cum Special Judge, Bettiah, West Champaran in Bettiah Town
(Kalibag O.P.) P.S. Case No. 521 of 2015 registered under
Sections 341, 323, 354B and 504/34 of the Indian Penal Code
and Section 3(i)(x) of the SC/ST Act.

Appellant and two other accused persons are said to have
slated the informant in the name of her caste on refusal by her to
clean his Toilet and co-accused Meraj pushed her down while
appellant tried to drag her inside his house and tore her blouse.



It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. Appellant has been falsely implicated in the case by the informant due to ulterior motive. The allegation of slating the informant levelled against the appellant is not specific rather general and omnibus in nature. Learned lower court after perusing the case diary and observing that the allegation of offence under Section 354 IPC was not favoured by the police and none of the witnesses has corroborated the allegation of abuse by caste name at the hand of the accused persons has enlarged co-accused Anwari Khatoon and Meraj on anticipatory bail. Appellant has no criminal antecedent.

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

Having regard to the facts and circumstances of the case, let the above named appellant, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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, Bettiah, West Champaran in connection with Bettiah Town (Kalibag O.P.) P.S. Case No. 521



of 2015, subject to the condition as laid down under Section 438
(2) of the Cr.P.C.

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

(Prakash Chandra Jaiswal, J)

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