

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2056 of 2020

Arising Out of PS. Case No.-77 Year-2016 Thana- SC/ST District- Rohtas

AZAD ANSARI @ HAJMUDDIN ANSARI S/o Jalaluddin Ansari R/o village- Nekra,
P.S.- Agrer, District- Rohtas Appellant/s

Versus

THE STATE OF BIHAR Respondent/s

Appearance :

For the Appellant/s : Mr. Ramchandra Singh
For the Respondent/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 05-02-2021 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 anticipatory bail by order dated 24.9.2020 passed by the learned 1st Addl. District and Sessions Judge, Sasaram, Rohtas in connection with Registration No.84/2017 arising out of SC/ST P.S. (Dehri) Case No.77/2016 registered under Sections 341, 323, 379, 504, 506/34 of the Indian Penal Code and Section 3(i) (r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Informant has alleged that on 27.11.2016 at 3:00 pm, when he had gone to the Baradih market, then FIR named accused, Ajad Ansari, Firoj Ansari, Imroaj Khan surrounded him and abused him and assaulted the informant by means of slap and threw him away. Thereafter, some nearby people saved the informant. Firoj Ansari snatched Rs.15,000/- from the pocket of



the informant and abused him with his caste name and threatened him.

It has been submitted that appellant has been falsely implicated in this case. It has further been submitted that there is general and omnibus allegation against the appellant and it is clear from FIR that co-accused, Firoj Ansari has in fact abused the informant with his caste name and said Firoj Ansari has already been granted bail by court below itself on the basis of compromise reached between said Firoj Ansari and informant. Appellant has clean antecedent.

Considering the aforesaid facts and circumstances of the case, let the appellant named above be released on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with aforesaid case subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Appellant shall co-operate in the trial and shall



be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the appellant tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the appellant.

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

(S. Kumar, J)

Sanjay/-

U		T	
---	--	---	--

