

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5563 of 2023

Arising Out of PS. Case No.-288 Year-2023 Thana- SONO District- Jamui

RIYAZ ANSARI SON OF SHAKUR ANSARI RESIDENT OF VILLAGE -
PAIRA, P.S. - SONO, DISTRICT - JAMUI

... .. Appellant/s

Versus

1. THE STATE OF BIHAR BIHAR
2. NANDKISHOR DAS SON OF SHIVNARAYAN DAS RESIDENT OF
VILLAGE - PAIRA, P.S. - SONO, DISTRICT - JAMUI

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Satya Prakash Parasar
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-02-2024 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State.

3. The instant appeal has been filed by the appellant against the order dated 09.11.2023 passed by learned Additional Sessions Judge-I-cum- Special Court SC/ST (POA) and POCSO Act, Jamui whereby the prayer for bail of the appellant in connection with Sono P.S. Case no. 288 of 2023 under Sections 448, 341, 323, 337, 354, 379, 504, 506/34 of the Indian Penal Code and sections 3(1)(r)(s), 3(2)(va) of the SC/ST Act was rejected.

4. AS per allegation in the FIR, informant is mason and he refused to work in the house of the petitioner because of



his earlier wages were not paid to him, thereafter several accused persons assaulted to the entire family members of the informant. Specific allegation against the appellant and co-accused persons is of assaulting to informant's other family members. It is further alleged that they also outraged modesty of the informant's disabled sister.

4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to dirty village politics. General and omnibus allegation has been levelled against the appellant. Informant has not sustained any injury. He has not taken the cast name of the informant in public view. No offence is made out under the provisions of the SC/ST Act against them. Similarly situated co-accused has already been granted bail by this Court vide order dated 12.01.2024 passed in Cr. Appeal SJ. 5013 of 2023. The appellant has got no criminal antecedent and languishing in judicial custody since 10.10.2023.

5. The appeal for bail is opposed by learned Spl. P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration that there is general and omnibus allegation against the appellant, the Court is inclined to allow



this appeal. Accordingly, the appeal is allowed and the impugned order dated 09.11.2023 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Sono P.S. Case No. 288 of 2023 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Session Judge-I-cum Spl. Court, Sc/ST (POA) and POCSO Act, Jamui.

(Sunil Kumar Panwar, J)

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