

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5530 of 2024**

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

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Taslim Ansari @ Md. Taslim @ Taslim S/O Jamal Ansari Resident of village-
Pera, Police Station- Sono District- Jamui

... .. Appellant/s

Versus

1. The State of Bihar
2. Nand Kishore Das Son of Shiv Kishore Das R/O Vill.- Pera, P.S.- Sono,
Dist.- Jamui

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Akhauri Kamal Kishore Sahay
For the Respondent/s : Mr.Binay Krishna

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

5 08-12-2025 1. Heard learned counsel for the appellant and the
learned Special Public Prosecutor for the State.

2. The appellant has challenged the order dated
20.11.2024 passed by the learned Additional Sessions Judge-1-
cum-Special Judge, SC/ST Act, Jamui in connection with Sono P.
S. Case No.288 of 2023, instituted for the offences under Sections
448, 341, 323, 337, 354, 379, 504, 506/34 of the Indian Penal
Code and Section 3(1)(r)(s), 3(2)(Va) of the Scheduled Castes &
Scheduled Tribes (Prevention of Atrocities) Act, whereby his
prayer for grant of anticipatory bail has been rejected.

3. The learned counsel appearing on behalf of the
appellant submits that from perusal of the office report dated
26.11.2025, it would manifest that the notices were validly served



upon the respondent no.2, but then, respondent no.2 chooses not to appear and contest the case. It is next submitted that appellant is a person with clean antecedent and the informant alleges that he was working as a mason for twelve days at the house of Riyaz, but payment was not made, hence he stopped the work, thus Riyaz on 21.08.2023 came to his house and abused by taking caste name. On objection, he called the named accused persons including the appellants who came and abused and assaulted him. Further, on orders of Riyaz accused Shahanwaj assaulted by rod causing injury on left hand and back while Riyaz along with Saddam, Nawab and Jamlu assaulted his mother and Riyaz snatched his sister's mobile while accused also assaulted his brother.

4. The learned counsel appearing on behalf of the appellant submits that appellant has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that no specific allegation is alleged against the appellant and even presuming what has been alleged is true without admitting, then the entire occurrence took place within the premises of the informant and thus was not in public view. It is also submitted that it does not appear probable that on such a trivial issue so many accused would have been summoned by Riyaz for committing the occurrence. It is also submitted that this perhaps explains why the



informant despite receiving notice chooses not to appear and contest.

5. The learned Special P. P. opposes the anticipatory bail application.

6. Regard being had to the aforesaid submissions, the order dated 20.11.2025 is set-aside.

7. The appeal stands allowed.

8. The appellant, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-1-cum-Special Judge, SC/ST Act, Jamui in connection with Sono P. S. Case No.288 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Satyavrat Verma, J)

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