

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3003 of 2019**

Arising Out of PS. Case No.-110 Year-2019 Thana- SULTANGANJ District- Bhagalpur

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SANJAY SAH @ SANJAY SAW Son of Yogendra Sah @ Yogendra Saw
Resident of Village- Abjuganj, P.S.- Sultanganj, District- Bhagalpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Rajive Ranjan Singh

For the Respondent/s : Mr.Usha Kumari 1

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

ORAL ORDER

3 03-09-2019 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 bail vide order dated 30.05.2019 passed by learned 3rd Addl. Sessions Judge cum Special Judge, Bhagalpur in Sultanganj P.S. Case No. 110 of 2019 registered under Sections 147, 149, 341, 323, 448, 354(B), 379 and 504 of the Indian Penal Code and Sections 3(I)(X) of the SC/ST Act.

Appellant and co-accused namely Chandan Kumar used to tease the sister of the informant on the way to her school. On 20.05.2019 at 11 A.M., appellant along with aforesaid named accused and 10-15 unknown miscreants



arriving at his house slated his sister in the name of her caste and co-accused Chandan Kumar started dragging his sister. When his wife and mother rushed in her rescue, they assaulted them and Chandan Kumar took out Rs. 5000/- kept in a box while appellant snatched his wrist watch.

It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. He has been falsely implicated in the case due to dirty village politics. The allegation levelled against the appellant is not specific rather general and omnibus in nature. None sustained injury in the occurrence. Slating the sister of the informant in the name of her caste is said to have been made at the house of the informant and not in public view, hence no offence under SC/ST Act is made out against the appellant. Appellant has no criminal antecedent and has been languishing in custody since 21.05.2019.

Learned Spl. PP 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 3rd Addl. Sessions Judge cum Special Judge, Bhagalpur
in connection with Sultanganj P.S. Case No. 110 of 2019.

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

(Prakash Chandra Jaiswal, J)

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