

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3717 of 2019

Arising Out of PS. Case No.-299 Year-2019 Thana- CHAINPUR District- Kaimur (Bhabua)

1. SUGANU BIND S/o Sukhari Bind R/o village- Ujari Darwa, P.S.- Chainpur, District- Kaimur at Bhabua
2. Munib Prasad Son of Yamuna Prasad R/o village- Ujari Darwa, P.S.- Chainpur, District- Kaimur at Bhabua

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Praveen Kumar

For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

- 3 24-09-2019 Heard learned counsel for the appellants 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 07.08.2019 passed by learned 1st Addl. Sessions Judge cum Special Judge, SC/ST Act, Kaimur at Bhabua in Chainpur P.S. Case No. 299 of 2019 registered under Sections 147, 148, 149, 341, 323, 504 and 307 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3(1)(S)(W)/3(2)(RA) of the SC/ST Act.

All the ten accused persons including the appellants descending at the door of the informant started



slating him and on protest made by him co-accused Sriram Bind assaulted his nephew namely Chandan Kumar and Sunil Kumar by means of knife and other accused persons assaulted the womenfolk of the house of the informant and also resorted firing. Co-accused Bablu Bind slated the informant in the name of his caste.

It is submitted by learned counsel for the appellants that the appellants have no concern with the aforesaid occurrence. They have been falsely implicated in the case merely because one Suresh Paswan has lodged Chainpur P.S. Case No. 298 of 2019 against the informant and others preceding to the case under hand. Appellants do not happen to be assailant. Barring Chandan Kumar and Sunil Kumar, none has sustained injury in the occurrence. Allegation of slating the informant levelled against the appellants is not specific rather general and omnibus in nature. Moreover appellants are not said to have slated the informant in the name of his caste. Appellants have no criminal antecedent and have been languishing in custody since 26.07.2019.

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

In the facts and circumstances of the case, the



above named appellants are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the 1st Addl. Sessions Judge cum Special Judge, SC/ST Act, Kaimur at Bhabua in connection with Chainpur P.S. Case No. 299 of 2019.

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

(Prakash Chandra Jaiswal, J)

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