

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3997 of 2019

Arising Out of PS. Case No.-779 Year-2018 Thana- MASAUDHI District- Patna

Lakki Kumar @ Raj Aryan Son of Sanjay Singh Resident of Mohalla -
Kumhar Toli, P.S.- Masaurhi, District - Patna

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Dilip Kumar
For the Respondent/s : Mr. Sadanand Paswan

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

ORAL ORDER

2 26-09-2019 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 23.08.2019 passed by learned Special Judge (SC/ST Act), Patna in Special Case No. 552 of 2018 arising out of Masaurhi P.S. Case No. 779 of 2018 registered under Sections 147, 148, 149, 341, 342, 323, 307 and 379 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(1)(r)(s) of the SC/ST Act.

Appellant is said to have slated the informant in the name of his caste on the way to his house and assaulted on his head by means of iron rod inflicting bleeding head injury to him.



It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. Appellant has been falsely implicated in the case due to dirty village politics. Injury sustained by the informant is simple in nature. Case between the parties has been compromised. Appellant has no criminal antecedent and has been languishing in custody since 23.08.2019.

On the other hand, learned Spl. P.P. 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 Special Judge (SC/ST Act), Patna in Special Case No. 552 of 2018 arising out of Masaurhi P.S. Case No. 779 of 2018.

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

(Prakash Chandra Jaiswal, J)

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