

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No. 1222 of 2020

Arising Out of PS. Case No.-219 Year-2018 Thana- BHAGWANPUR District- Begusarai

Murari Singh, aged about 23 years, Male, S/o Upendra Singh, Resident of
Village-Narharipur, P.S-Bhagwanpur, District-Begusarai.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Saroj Shandilya, Advocate
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 29-06-2020 Heard the parties through the virtual court proceeding.

The present appeal has been preferred on behalf of the appellant for setting aside the order dated 22.02.2020 passed by Sri Ravindra Singh, learned Special Judge SC/ST (POA) Act, Begusarai passed in Bhagwanpur P.S. Case No.219 of 2018 whereby and whereunder the prayer for bail of the appellant has been rejected as the case against him under Sections 341, 323, 379, 505, 427, 506/34 of the Indian Penal Code and Sections 3(i)(r)(s)/ 3(2)(va) of SC/ST Act.

The prosecution case, in brief, is that on 20.10.2018, Rajeev Paswan gave a written complaint Officer-in-charge Bhagwanpur P.S. stating therein that on 18.10.2018 at about 3.30 P.M. He had gone to see fair to Bhagwanpur from the house on motorcycle and when he reached in Chaur near Kumar



Brick Kiln near a Pipal Tree, Rajnkish Rai, Tinku Rai, Ranjeet Rai, appellant Murari Singh along with two unknown persons were sitting there having two motorcycles. On the basis of the written complaint, the officer-in-charge, Bhagwanpur registered a case under the above sections.

Learned counsel for the appellant submits that in fact the appellant and that of the informant are closed together and for small things of wages some rifts and hot discussion had taken place as the informant sides used to do labour work in the field of the appellant and the use to demand more wags and it refusal by the appellant and other agriculturist they had lodge this false case to put pressure on the appellant. Learned counsel for the appellant further submits that as soon as the appellant come to know about this case he surrendered before the court below. The appellant is in jail custody since 17.01.2020. Charge sheet has been submitted.

Learned counsel for the appellant submits that no alleged occurrence has taken place on 20.10.2018. It is further submitted that the medical examination report shows one injury on forehead and one injury on his knee which are simple in nature and caused by hard blunt object. Learned counsel for the appellant further submits that there is no specific allegation



against the appellant, the allegations are general and omnibus. Learned counsel for the appellant further submits that similarly situated co-accused has been granted bail by this Co-ordinate Bench of this Court.

Learned Additional Public Prosecutor for the State has opposed this appeal.

Considering the facts and circumstances of this case, let the appellant, above named, be released on bail, pending appeal, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) only with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST (Prevention of Atrocities) Act, Begusarai in connection with Bhagwanpur P.S. Case No.219 of 2018.

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

(Anjani Kumar Sharan, J)

Nasimul/-

U		T	
---	--	---	--

