

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1315 of 2021

Arising Out of PS. Case No.-270 Year-2020 Thana- BAHADURPUR District- Darbhanga

Pankaj Kumar Panjiar @ Pankaj Kumar Panjiyar, aged about 41 years, male,
S/o Late Ram Nandan Panjiar, R/o Mohalla-Bakarganj, P.S.-Laheriasarai,
District-Darbhangha.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Devendra Kumar Sinha, Sr. Adv.

For the Respondent/s : Ms. Usha Kumari-1, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 08-07-2021 Heard Mr. Devendra Kumar Sinha, the

learned Senior Advocate for the appellant and Ms. Usha

Kumari-1, the learned Special Public Prosecutor for the

State.

The appellant has challenged the order dated

06.10.2020 passed by the learned 1st Addl. Sessions

Judge-Cum-Special Judge, SC/ST (POA) Act, Darbhanga

in connection with Bahadurpur P.S. Case No. 270 of



2020, instituted for the offences under Sections 147, 149, 341, 323, 324, 504, 506 and 379 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989, whereby his prayer for grant of anticipatory bail has been rejected.

It has been alleged in the F.I.R. that the appellant and others assaulted and abused the members of the prosecution party.

Mr. Devendra Kumar Sinha, the learned Senior Advocate for the appellant has submitted that an absolutely false case has been lodged against him. In fact, one of his employees, namely, Rohit Kumar was assaulted by the informant and his mobile telephone was snatched. For that occurrence, aforesaid Rohit Kumar had filed a case against the informant and others of this case. It has further been submitted that the present case involving the appellant is only a counter blast to the aforesaid case.

It has also been submitted on behalf of the



appellant that the accusation inviting the mischief of the provisions of Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act is highly motivated.

Regard being had to the aforesaid submissions, the order dated 06.10.2020, referred to above, is set-aside.

The appellant, above-named, in the event of his arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Addl. Sessions Judge-Cum-Special Judge, SC/ST (POA) Act, Darbhanga in connection with Bahadurpur P.S. Case No. 270 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The appeal stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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