

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1523 of 2021**

Arising Out of PS. Case No.-181 Year-2020 Thana- IMAMGANJ District- Gaya

Md. Naushad @ Md. Naushad Ghani Son of Shahzad Ghani Resident of
Village- Raniganj, P.S.- Imamganj, District- Gaya.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.N. A. Shamsi
For the Respondent/s : Mr.Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 01-11-2021 Heard learned counsel for the appellant and

learned APP for the State.

Learned counsel for the appellant is expected
to honour his undertaking given in the instant case for
depositing the requisite court fee and to remove the
defects as pointed out by the office when called upon
to do so by the office.

The appellant has challenged the order dated
11.01.2021 passed by the learned Special Judge,
SC/ST(POA) Act, Gaya in connection with Imamganj
P.S. Case No. 181 of 2020 instituted for the offences
under Sections 341, 323, 324, 325, 307, 506, 34 of



the Indian Penal Code and Section 3(1)(r)(s) of the SC & ST (Prevention of Atrocities) Act, 1989, whereby the prayer for being released on anticipatory bail has been rejected.

Learned counsel for the appellant submits that the allegation against the appellant is omnibus and general. Moreover, the occurrence has not been committed in public view, hence the provisions of the SC/ST Act shall not be attracted.

Taking into account the aforesaid facts, this Court deems it appropriate to set aside the order dated 11.01.2021. The appeal is hereby allowed.

The appellant, above named is directed to be released on bail in the event of his arrest or surrender within a period of four weeks from today and on his furnishing bail bonds of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST (POA) Act, Gaya in connection with Imamganj P.S. Case No.



181 of 2020.

(Sunil Kumar Panwar, J)

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