

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2918 of 2021

Arising Out of PS. Case No.-10 Year-2021 Thana- SC/ST District- Banka

Vikram Kumar @ Bikram Kumar Son Of Late Nageshwar Prasad Resident of
Village - Mandarderu, P.S.- Dhoraiya, Distt.- Banka.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ajay Mukherjee, Adv.
For the Respondent/s : Mr. Spl.PP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 26-07-2021 Heard learned counsel for the appellant and learned
Spl.P.P. for the State through video conferencing.

The instant appeal has been preferred against the order dated 1.6.2021 passed by the learned Additional Sessions Judge-1, Banka whereby the prayer for bail of the appellant in connection with SC/ST P.S. Case No.10 of 2021 registered under section 354 and other sections of the Indian Penal Code and sections 3(i)(r)(s)(g)(w) of the SC/ST (Prevention of Atrocities) Act, was rejected.

As per allegations in the F.I.R. it is stated by the informant that the four named accused persons including the appellant herein came variously armed. They started to abuse the informant and beat him up. Thereafter it is stated that they were threatened once again in case they came on the land again,



that they would be killed and buried. It is stated that on earlier occasion also they have abused his wife.

It is submitted by learned counsel for the appellant that the allegations as levelled in the F.I.R. are false and concocted. The appellant has been falsely implicated in the case because of admitted land dispute between the parties. Both parties are co-villagers. The allegations are general and ominous in nature. All the other sections except section 354 of the Indian Penal Code and the one under the SC and ST Act are bailable. The appellant is in custody since 20.4.2021 and investigation in the case has concluded.

The appeal is opposed by learned Spl.P.P. for the State as also learned counsel appearing for the informant.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the submission of charge sheet, the Court is inclined to allow the appeal. The appeal is allowed and the order dated order dated 1.6.2021 passed by the learned Additional Sessions Judge, Banka, is set aside.

The appellant is directed to be enlarged on bail in connection with SC/ST P.S. Case No.10 of 2021 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of the learned
Additional Sessions Judge-1, Banka.

(Partha Sarthy, J)

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