

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3236 of 2021

Arising Out of PS. Case No.-20 Year-2021 Thana- PUNPUN District- Patna

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MANOJ KUMAR @ MANOJ SINGH @ GENDU Son of Late Bramhanand Singh Resident of Village - Barah, P.S.- Punpun, Distt.- Patna. Presently resides at Mohalla - Kurji Chashma Center Gali, Magadh Colony, P.S.- Digha, Dist.- Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Abhinay Raj, Advocate
For the Respondent/s : Mr.Binay Krishna, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-10-2021 Heard learned counsel for the appellant and learned Spl. P.P. for the State through virtual mode.

The appellant has challenged the order dated 24.06.2021 passed by learned A.D.J. III-cum-Special Judge, SC/ST Act, Patna in connection with Punpun P.S. case No.20/2021 registered for the offences under Sections 341, 323, 504, 506 and 34 of the Indian Penal Code and Sections 3(ii)(v) of the SC/ST (Prevention of Atrocities) Act, 1989, whereby the prayer made on behalf of the appellant for grant of anticipatory bail has been rejected.

The prosecution case, in short, is that the accused persons including the appellant assaulted the informant and the



appellant also pointed pistol towards the informant and also abused the informant by taking his caste name.

It has been submitted on behalf of the appellant that there is no allegation of tampering of witnesses alleged against the appellant. The appellant has falsely been implicated in the present case. General and omnibus allegation has been made. No specific overt act is alleged against the appellant. The alleged occurrence has not taken place within public view. Hence no offence under the SC/ST Act is attracted in the present case.

On behalf of the State, it is submitted that the appellant is named in the F.I.R.

Considering the aforesaid facts and circumstances, the order dated 24.06.2021, passed by the learned A.D.J. III-cum-Special Judge, SC/ST Act, Patna vide A.B.P. No.3142 of 2021 in connection with Punpun P.S. case No.20/2021, is set aside.

Let the appellant, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. III-cum-Special Judge, SC/ST Act, Patna in



connection with Punpun P.S. case No.20/2021.

The criminal appeal stands allowed.

(Sudhir Singh, J)

Narendra/-

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