

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.148 of 2021

Arising Out of PS. Case No.-145 Year-2020 Thana- BARHARIA District- Siwan

RAJIV KUMAR VERMA @ SHANI KUSHWAHA Son of Ramesh Kumar
Verma @ Ramesh Kushwaha Resident of Village - Koirigawan, Koiri Tola,
P.S.- Barharia, District - Siwan

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Prashant Kumar

For the Respondent/s :

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 27-10-2021 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State.

The instant appeal has been filed by the appellant seeking anticipatory bail in connection with Barharia P.S. Case No. 145 of 2020 under Sections 341, 323, 324, 307, 504 and 34 of the Indian Penal Code and Sections 3(1)(r)(s), 2(va) of the Schedule Caste and Schedule Tribe (Prevention of Atrocities) Act.

As per allegation in the FIR, appellant has attempted to press the neck of the informant while he was sleeping outside the house at night.

It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. He has



not taken the cast name of the informant in public view. No offence is made out under the provisions of the SC/ST Act against him. He has got no criminal antecedent.

The application for bail is opposed by learned Spl. P.P. for the State.

Having heard learned counsel for the parties and taking into consideration that there is general and omnibus allegation against the appellant, the Court is inclined to allow this appeal. The appellant is directed to be enlarged on bail in connection with Barharia P.S. Case No. 145 of 2020 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I-cum-Special Judge (SC/ST Act), Siwan.

Accordingly, the appeal is allowed and the impugned order dated 16.09.2020 passed in A.B.P. No. 1365 of 2020 is hereby set aside.

(Sunil Kumar Panwar, J)

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