

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.699 of 2021**

Arising Out of PS. Case No.-288 Year-2018 Thana- RAJAOLI District- Nawada

Gollu Singh @ Raghubansh Singh Son Of Ashok Singh Resident Of Village -
Amawan, P.S. - Rajauli, District - Nawada.

... .. Appellant/S

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Bhavesh Kumar, Advocate
For the Respondent/s : Spl. PP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 18-03-2021 Heard learned counsel for the appellant and learned Spl.
PP for the State through video conferencing.

The instant appeal has been preferred against the order dated 19.9.2020 passed by the learned Special Judge, SC and ST Act-cum-Additional Sessions Judge 1st, Nawada in Special Case no. 193 of 2018 arising out of Rajauli P.S. Case no. 288 of 2018 registered under sections 147, 323, 341, 379, 427, 436, 447, 504 and 506 of the Indian Penal Code and sections 3(1)(r)(2)(iv) of the SC and ST Act, 1989 whereby the prayer for bail of the appellant was rejected.

As per allegation in the FIR, the accused persons including the appellant herein are stated to have assaulted the informant and the members of his family and also abused him in the name of his caste.



It is submitted by learned counsel for the appellant that the allegations in the FIR are in two parts. So far as the first part is concerned, the appellant is not even named in the FIR. However, general and omnibus allegations have been made against him along with large number of persons in the second part of the FIR. His case stands on a similar footing to that of a number of co-accused namely Upendra Singh, Munna Singh, Shankar Singh, Dhanushdhari Singh, and Suman Singh who have been enlarged on bail by different orders brought on record by way of supplementary affidavit. The appellant is in custody since 10.9.2020 and has no criminal antecedent.

The appeal is opposed by learned Special PP for the State.

Having heard learned counsel for the parties and taking into consideration the general and omnibus allegation, the period in custody and grant of bail to other co-accused, the Court is inclined to allow the appeal. The appeal is allowed and the order dated 19.9.2020 passed by learned Special Judge, SC and ST Act–cum-Additional Sessions Judge 1st, Nawada is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Special Case no. 193 of 2018 arising out of Rajauli P.S. Case no. 288 of 2018 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 Special Judge, SC and ST Act-cum-Additional Sessions Judge 1st, Nawada.

(Partha Sarthy, J)

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