

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.134 of 2021

Arising Out of PS. Case No.-57 Year-2020 Thana- MUSRIGHRARI District- Samastipur

1. Bablu Kumar Son Of Sital Sah Resident Of Village-Lat Basepura, P.S-Musrigharari, District-Samastipur.
2. Babita Devi Wife Of Manjay Sah Resident Of Village-Lat Basepura, P.S-Musrigharari, District-Samastipur.
3. Kiran Devi Wife Of Papu Sah Resident Of Village-Lat Basepura, P.S-Musrigharari, District-Samastipur.
4. Meena Devi Wife Of Shital Sah Resident Of Village-Lat Basepura, P.S-Musrigharari, District-Samastipur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Md. Hussamuddin Azad
For the Respondent/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-10-2021 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

The instant appeal has been filed under Section 14(2) of the SC/ST Prevention of Atrocities Act by the appellants challenging the order dated 09.09.2020 passed by learned 1st Additional Sessions Judge, Samastipur in ABP No. 1189 of 2020 whereby the prayer for bail of the appellants in connection with Musrigharari P.S. Case no. 57 of 2020 under Section 307, 323, 34, 341, 379, 504 of the Indian Penal Code and sections 3(1)(r) of SC/ST Act was rejected.

Allegations against the appellants is of assaulting on the head of the informant by taking her caste name and snatching her gold chain.



It is submitted by learned counsel for the appellants that appellants have been falsely implicated in this case. Injury received by the informant is simple in nature. They have 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 them. They have 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 appeal is allowed and the impugned order dated 09.09.2020 passed in A.B.P. No 1189 of 2020 is hereby set aside.

The appellants are directed to be enlarged on bail in connection with Musrigharari P.S. Case No. 57 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 1st Additional Sessions Judge, Samastipur.

(Sunil Kumar Panwar, J)

sushma/-

U		T	
---	--	---	--

