

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1455 of 2021

Arising Out of PS. Case No.-127 Year-2020 Thana- GARKHA District- Saran

CHANDAN KUMAR @ CHANDAN SINGH SON OF SARVESHWAR
SINGH @ SABESHWAR SINGH R/O VILL- SAIDSARAI P.S- GARKHA,
DIST- SARAN Appellant/s

Versus

The State of Bihar Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjay Kumar Singh

For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-10-2021 Heard learned counsel for the appellant, learned Special
Public Prosecutor for the State.

The instant appeal has been filed by the appellant against the order dated 10.11.2020 passed by learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST (Prevention of Atrocities) Act, Saran at Chapra in ABP No. 1626 of 2020 whereby the prayer for bail of the appellant in connection with Garkha P.S. Case no. 127 of 2020 under Section 354 of the Indian Penal Code and sections 3(1)(r) of SC/ST Act was rejected.

As per complaint petition, when the informant went at the house of the informant to demand her wages for the done in paddy field of the accused persons, they assaulted the informant and her *gotni* by taking her caste name.

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. He has got clean 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 10.11.2020 passed in A.B.P. No. 1626 of 2020 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Garkha P.S. Case No. 127 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-cum-Special Judge SC/ST (Prevention of Atrocities) Act, Saran at Chapra.

(Sunil Kumar Panwar, J)

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