

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.252 of 2022**

Arising Out of PS. Case No.-130 Year-2017 Thana- GOH District- Aurangabad

Vikash Sharma @ Vikash Kumar Sharma Sonof Bhushan Sharma Resident Of
Village - Dadar, P.S.- Goh, Distt.- Aurangabad.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Santosh Kumar Pandey
For the Respondent/s : Mr.Sadanand Paswan

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 07-07-2022 Heard learned counsel for the appellant and

learned Special P.P for the State.

The appellant has challenged the order dated
20.12.2021 passed by the learned Additional District &
Sessions Judge-I-cum-Special Judge, SC/ST Act,
Aurangabad in connection with Goh P.S. Case No. 130
of 2017 instituted for the offences punishable under
Sections 147, 148, 149, 341, 323, 324, 325, 326, 307,
379, 452, 427, 354, 504, 506 of the Indian Penal Code
and Section 3(1)(r)/3(i)(w)(i)/ 3(2)(v) of the SC & ST
(Prevention of Atrocities) Act, whereby his prayer for
being released on anticipatory bail has been rejected.



The accusations are of making assault, outraging the modesty and abusing by calling caste name.

It is submitted by learned counsel for the appellant that appellant has falsely been implicated in this case. There is general and omnibus allegation against the appellant. The specific accusation is against Ritesh and Om Kumar. As per F.I.R, the occurrence took place in the house of the informant, not in public view. Hence, the provisions under SC/ST Act would not be applicable in the case of the appellants. A statement has been made in para 3 of the petition that appellant has no criminal antecedent.

Taking into account the aforesaid facts, this Court deems it appropriate to set aside the order dated 20.12.2021 passed by the learned Additional District & Sessions Judge-I-cum-Special Judge, SC/ST Act, Aurangabad.

Accordingly, this appeal is allowed.



The appellant, above named is directed to be released on bail in the event of his arrest or surrender within a period of four weeks from today and on his furnishing bail bonds of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I-cum-Special Judge, SC/ST Act, Aurangabad in connection with Goh P.S. Case No. 130 of 2017.

(Sunil Kumar Panwar, J)

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