

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.269 of 2022**

Arising Out of PS. Case No.-110 Year-2021 Thana- BHELDI District- Saran

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Uma Shankar Rai Son Of Hardip Rai R/O Village- Umarpur, P.S.- Bheldi,
District- Saran

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Alok Kumar Alok

For the Respondent/s : Mr.Sadanand Paswan

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**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
25.11.2021 passed by the learned Additional Sessions
Judge-I-cum-Special Judge, SC/ST Act, Saran at Chapra
in connection with Bheldi P.S. Case No. 110 of 2021
instituted for the offences punishable under Sections
341, 323, 354, 379, 504, 506/34 of the Indian Penal
Code and Section 3(1)(r)(s)(w) of the SC & ST
(Prevention of Atrocities) Act, 1989, whereby his prayer
for being released on anticipatory bail has been rejected.



The accusations are of making assault and abusing by calling caste name.

It is submitted by learned counsel for the appellant that appellant has falsely been implicated and in this case and in the background of some previous dispute, the present case has been lodged. As per F.I.R, the occurrence took place in the in the field of the informant, not in public view. Hence, the provisions under SC/ST Act would not be applicable in the case of the appellant. 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 25.11.2021 passed by the learned Additional Sessions Judge-I-cum-Special Judge, SC/ST Act, Saran at Chapra.

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, Saran at Chapra in connection
with Bheldi P.S. Case No. 110 of 2021.

(Sunil Kumar Panwar, J)

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