

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL APPEAL (SJ) No.258 of 2022**

Arising Out of PS. Case No.-41 Year-2020 Thana- JANTA BAZAR District- Saran

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Amit Tiwary @ Amit Kumar Tiwary Son Of Sri Sachidanand Tiwary R/O  
Village- Harpur Kothi, P.S.- Janta Bazar, District- Saran

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

=====

**Appearance :**

For the Appellant/s : Mr.Uday Bhan Singh  
For the Respondent/s : Mr.Usha Kumari 1

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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 06.03.2021 passed by the learned Additional Sessions Judge-I-cum-Special Judge, SC/ST Act, Saran at Chapra in connection with Janta Bazar P.S. Case No. 41 of 2020 instituted for the offences punishable under Sections 341, 323, 504, 354(B), 379, 506, 435 of the Indian Penal Code and Sections 3(1)(r) 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 of the informant 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. Moreover, for the alleged occurrence of 03.04.2020, the F.I.R has been registered on 06.04.2020. It is also submitted that 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 06.03.2021 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 Janta Bazar P.S. Case No. 41 of 2020.

**(Sunil Kumar Panwar, J)**

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