

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.294 of 2022**

Arising Out of PS. Case No.-61 Year-2020 Thana- SARAI District- Vaishali

Abhay Singh Son Of Lal Bahadur Singh R/O Village- Akhtiyarpur Patedha,
P.S.- Sarai, District- Vaishali

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Vijay Kumar

For the Respondent/s : Ms.Usha Kumari 1

**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 01.07.2020 passed by the learned Additional Sessions Judge-I-cum-Special Judge, SC/ST Act, Hajipur, Vaishali in connection with Sarai P.S. Case No. 61 of 2020 instituted for the offences punishable under Sections 147, 149, 341, 323, 353, 504 of the Indian Penal Code and Section 3(1)(r)(s) of the SC & ST (Prevention of Atrocities) Act, whereby his prayer for being released on anticipatory bail has been rejected.

The prosecution case as per F.I.R is that on



16.03.2020, there was a free fight between two groups of people in which one Deepa Kumari received injuries and ultimately died. On 17.03.2020, about 400-500 villagers blocked the NH-22. On information, the Police Party reached there and tried to pacify the matter but, the crowd started abusing the police party by calling their caste name and also obstructed the vehicular movement.

It is submitted by learned counsel for the appellant that appellant has falsely been implicated in this case. The allegations are general and omnibus and no specific allegation has been made against 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 01.07.2020 passed by the learned Additional Sessions Judge-I-cum-Special Judge, SC/ST Act, Hajipur, Vaishali.



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, Hajipur, Vaishali in connection with Sarai P.S. Case No. 61 of 2020.

(Sunil Kumar Panwar, J)

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