

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.300 of 2022**

Arising Out of PS. Case No.-12 Year-2021 Thana- KATIHAR MUFFASIL District- Katihar

VAKIL PASWAN @ KAPIL PASWAN SON OF LATE PARMUNI PASWAN
R/O - TAJGANJ FASIA, P.S.- MUFFASIL, DISTRICT- KATIHAR

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ajit Kumar Singh
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 Public Prosecutor for the State.

The instant appeal has been filed by the appellant against the order dated 20.03.2021 passed by learned 1st Additional Sessions Judge Cum Special Judge, Katihar in ABP No. 16/2021 whereby the prayer for bail of the appellant in connection with Muffasil P.S. Case no. 12/2021 under Section 147, 148, 149, 186, 353, 332, 427, 307, 325, 504 of the Indian Penal Code and sections 3(1) (S) of SC/ST Act was rejected.

As per allegation in the FIR, appellant along with other co-accused persons have created hindrance by pelting stones to the police party in discharging the official duty when they are working to make the land encroachment free from the slums. Appellant has also abused by taking the caste name of the



driver of the police vehicle. Several male and female police constables were got injured in the alleged incident.

It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to high handedness of police party. He has not taken the caste name of the informant in public view. He has got no criminal antecedent. No offence is made out under the provisions of the SC/ST Act against him. The appellant has no intention to disgrace the image of the informant in public view.

The appeal 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. Accordingly, the appeal is allowed and the impugned order dated 20.03.2021 passed in A.B.P. No 16/2021 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Muffasil P.S. Case No. 12 of 2021 in the event of arrest or surrender before the court below within a period of four weeks 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 Additional Sessions Judge-Cum-Special Judge, Katihar.

(Sunil Kumar Panwar, J)

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