

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1033 of 2022**

Arising Out of PS. Case No.-242 Year-2021 Thana- KARAHGAR District- Rohtas

Praveen Kumar Pandey S/O Dayanidhi Pandey R/o village- Diviyan, P.S.-
Kargahar, District- Rohtas

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ajay Kumar Tiwari
For the Respondent/s : Mr.Usha Kumari 1

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

2 14-07-2022 Heard learned counsel for the appellant and

learned Special P.P for the State.

The appellant has challenged the order dated
11.01.2022 passed by the learned Additional District &
Sessions Judge-XVII-cum-Special Judge, SC/ST Act,
Rohtas at Sasaram in connection with Kargahar P.S.
Case No. 242 of 2021 instituted for the offences
punishable under Sections 341, 323, 406, 504, 506 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.

It is alleged that when the informant demanded



his money back, the appellant made assault and abused by calling his caste name.

It is submitted by learned counsel for the appellant that appellant has falsely been implicated in this case. The informant has not produced any chit or paper with regard to payment to the appellant. There is no injury report on record. No independent witness has supported the prosecution version.

Taking into account the aforesaid facts, this Court deems it appropriate to set aside the order dated 11.01.2022 passed by the learned Additional District & Sessions Judge-XVII-cum-Special Judge, SC/ST Act, Rohtas at Sasaram in connection with Kargahar P.S. Case No. 242 of 2021.

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 District & Sessions Judge-XVII-cum-Special Judge, SC/ST Act, Rohtas at Sasaram in connection with Kargahar P.S. Case No. 242 of 2021.

(Sunil Kumar Panwar, J)

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