

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1866 of 2021**

Arising Out of PS. Case No.-457 Year-2018 Thana- LALGANJ District- Vaishali

Shiv Pujan Singh@Shiw Pujan Singh Son Of Agin Singh Resident Of
Village- Sirsa Biran, P.S.- Lalganj, Dist.- Vaishali

... .. Appellant/s

Versus

1. The State of Bihar
2. Salahiya Devi Shambhu Paswan R/o Village-Sirsa Biran, P.S.-Lalganj,
District-Vaishali

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjeev Kumar
For the Respondent/s : Mr. Usha Kumari

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

6 16-11-2022 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

Vide order dated 13.10.2022, counsel for the State was
directed to inform the informant.

Learned counsel for the State submits that he has
informed the informant through concerned SP but nobody
appears on behalf of the respondent no. 2.

This is an appeal under section 14(A)(2) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act,
(hereinafter in short referred to as the 'SC/ST Act') against the
refusal of prayer for bail vide order dated 28.01.2021, passed by
learned 1st Additional District and Sessions Judge-cum-Special
Judge, Hajipur, Vaishali in connection with Lalganj P.S. Case



No. 457 of 2018, registered under Sections 147, 148, 149, 341, 447, 323, 234, 325, 354, 307, 379, 504, 506 of the IPC and Sections 3(i) (r) (s) of SC/ST Act.

It is submitted by learned counsel for the appellant that the appellant is innocent and has been falsely implicated in this case. He submits that there is no specific allegation against the appellants to abuse the informant by taking caste name. He submits that there is general and omnibus allegation against the appellant. He submits that the injury found upon the victim is simple in nature. He further submits that appellant has no criminal antecedent as stated in para-3 of this appeal.

Considering the facts and circumstances of the case and the fact that there is general and omnibus allegation levelled against the appellant, let the above named appellant in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional District and Sessions Judge-cum-Special Judge, Hajipur, Vaishali in connection with Lalganj P.S. Case No. 457 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.



Accordingly, the impugned order is set aside and the appeal is allowed.

(Anjani Kumar Sharan, J)

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