

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1066 of 2022**

Arising Out of PS. Case No.-480 Year-2021 Thana- MANJHI District- Saran

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Rambabu Pandit S/O Surendra Pandit Resident Of Village- Teghra, P.S.-
Manjhi, District- Saran.

... .. Appellant/s

Versus

1. The State of Bihar
2. Babunti Devi W/O Shiv Kumar Ram Resident Of Village- Teghra, P.S.-
Manjhi, District- Saran

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Harish Kumar

For the Respondent/s : Ms. Usha Kumari 1

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-11-2022 Heard learned counsel for the appellant,

informant and learned Special P.P for the State.

The appellant has challenged the order dated
09.02.2022 passed by learned 3rd Additional District &
Sessions Judge-cum-Special Judge, SC/ST Act, Saran at
Chapra in connection with Manjhi P.S. Case No. 480 of
2021 instituted for the offences punishable under
Sections 341, 323, 325, 307, 504, 34 of the Indian
Penal Code and Sections 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 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 and in the background of some land dispute, the present accusation has been levelled against the appellant. There is general and omnibus allegation against the appellant. Moreover, as per F.I.R, the occurrence did not take place in public view. Hence, the provisions under SC/ST Act would not be applicable in the case of 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 09.02.2022 passed by learned 3rd Additional District & Sessions Judge-cum-Special Judge, SC/ST Act, Saran at Chapra in connection with Manjhi P.S. Case No. 480 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 their furnishing bail bonds of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned 3rd Additional District & Sessions Judge-cum-Special Judge, SC/ST Act, Saran at Chapra in connection with Manjhi P.S. Case No. 480 of 2021.

(Sunil Kumar Panwar, J)

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