

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1037 of 2022

Arising Out of PS. Case No.-484 Year-2019 Thana- SHASTRINAGAR District- Patna

Deepak Kumar Son Of Raju Singh @ Hori Rai R/O Village- Madhopur Diara,
At Present Residing At Haripur Colony, Digha, P.S.- Digha, District- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Sunni Kumar Son Of Uday Vishwakarma R/O Mohalla- Ganga Bihar Colony, P.S.- Digha, District- Patna

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ranjeet Kumar Singh
For the Respondent/s : Mr.Usha Kumari I

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 08.07.2021 passed by the learned Additional District Judge-III-cum-Special Judge, SC/ST, Patna in connection with Shastri Nagar P.S. Case No. 484 of 2019 instituted for the offences punishable under Sections 341, 342, 323, 504, 506 of the Indian Penal Code and Section 3(r) 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 and abusing by calling caste name.

It is submitted by learned counsel for the appellant that appellant has falsely been implicated in this case. There is general and omnibus allegation against the appellant. The informant belongs to caste "Lohar". Hence, the provisions under SC/ST Act would not be applicable in the case of the appellant. There is no injury report on record. 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 08.07.2021 passed by the learned Additional District Judge-III-cum-Special Judge, SC/ST, Patna in connection with Shastri Nagar P.S. Case No. 484 of 2019.

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 Judge-III-cum-Special Judge, SC/ST, Patna in connection with Shastri Nagar P.S. Case No. 484 of 2019.

(Sunil Kumar Panwar, J)

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