

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1051 of 2022

Arising Out of PS. Case No.-26 Year-2022 Thana- ATHMALGOLA District- Patna

=====

Raja Ram Pandey Son of Arjun Panday Resident of Village - Karjan, P.S.-
Athmalgola, Distt.- Patna

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Kumar Kamal Nayan

For the Respondent/s : Ms. 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

21.02.2022 passed by the learned Special Judge, SC/ST

Act, Patna in connection with Athmalgola P.S. Case No.

26 of 2022 instituted for the offences punishable under

Sections 341, 323, 324, 504, 34 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.

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 occurrence has not committed in public view. 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 21.02.2022 passed by the learned Special Judge, SC/ST Act, Patna in connection with Athmalgola P.S. Case No. 26 of 2022.

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 Special Judge, SC/ST Act, Patna in connection with Athmalgola P.S. Case No. 26 of 2022.

(Sunil Kumar Panwar, J)

Shageer/-

U		T	
---	--	---	--

