

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1149 of 2022**

Arising Out of PS. Case No.-299 Year-2021 Thana- BANIAPUR District- Saran

Nagendra Sah @ Nagendra Kumar Sah Son Of Rupa Sah R/O Village- Lauwa
Kala, P.S.- Baniapur, District- Saran

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sanjay Kumar Singh, Advocate
For the Respondent/s : Mr. Binay Krishna, A.P.P.

**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 25.11.2021 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST Act, Saran at Chapra in connection with Baniapur P.S. Case No. 299 of 2021 instituted for the offences punishable under Sections 341, 323, 379 504/34 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



case and counter case between the parties and both the parties have sustain injuries. There is general and omnibus allegation against the appellant.

Taking into account the aforesaid facts, this Court deems it appropriate to set aside the order dated 25.11.2021 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST Act, Saran at Chapra in connection with Baniapur P.S. Case No. 299 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 1st Additional Sessions Judge-cum-Special Judge, SC/ST Act, Saran at Chapra in connection with Baniapur P.S. Case No. 299 of 2021.

(Sunil Kumar Panwar, J)

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