

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1166 of 2022

Arising Out of PS. Case No.-431 Year-2021 Thana- CHAPRA TOWN District- Saran

Chandramani Singh @ Chandramani Sigriwal @ Chandramani Sikriwal Son
Of Jaykant Singh R/O Village- Mona Sadha Dhala Chowk, P.S.- Chapra
Town, District- Saran At Chapra

... .. Appellant/s

Versus

1. The State of Bihar
2. Rupesh Kumar Rajak Son Of Jaleshwar Rajak R/O Village- Mona Sadha
Dhala Chowk, P.S.- Chapra Town, District- Saran At Chapra

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Krishna Kumar Yadav
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-07-2022 Heard learned counsel for the appellant and

learned Special P.P for the State.

The appellant has challenged the order dated
09.03.2022 passed by the learned 3rd Additional District
& Sessions Judge-cum-Special Judge, SC/ST Act, Saran
at Chapra in connection with Chapra Town P.S. Case No.
431 of 2021 instituted for the offences punishable under
Sections 147, 148, 431, 323, 504, 506, 379 of the
Indian Penal Code and Section 3(1)(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, abusing by calling caste name and taking away gold chain and cash of Rs. 1,65,000/- from the shop of the informant.

It is submitted by learned counsel for the appellant that appellant has falsely been implicated in this case and in the background of some business dispute, the present case has been lodged. As per F.I.R, the occurrence took place in the shop, not in public view. Hence, the provisions under SC/ST Act would not be applicable in the case of the appellant. There is general and omnibus allegation against 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 09.03.2022 passed by the learned 3rd Additional District & Sessions Judge-cum-Special Judge, SC/ST Act, Saran at Chapra in connection with Chapra Town P.S. Case No.



431 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 3rd Additional District & Sessions Judge-cum-Special Judge, SC/ST Act, Saran at Chapra in connection with Chapra Town P.S. Case No. 431 of 2021.

(Sunil Kumar Panwar, J)

Shageer/-

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

