

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1540 of 2022

Arising Out of PS. Case No.-13 Year-2021 Thana- SC/ST District- Munger

1. NIKHIL SINHA @ HARSH Son of Shailendra Kumar @ Shailendra Sinha Resident of Village - Nandan Niwas, Madhopur, Near Girls School, P.S.- Kotwal (Basudeopur O.P.), Distt.- Munger.
2. Shipra Sinha W/o Sushil Kumar Resident of Village - Nandan Niwas, Madhopur, Near Girls School, P.S.- Kotwal (Basudeopur O.P.), Distt.- Munger.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ajit Kumar Singh
For the Respondent/s : Mrs.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-07-2022 Heard learned counsel for the appellant and learned Special Public Prosecutor for the State.

The instant appeal has been filed by the appellant against the order dated 31.03.2022 passed by learned Additional Sessions Judge 1, Munger in ABP No. 416/2022 whereby the prayer for bail of the appellant in connection with SC/ST P.S. Case no. 13 of 2021 under Section 341, 323, 308, 504, 506/34 of the Indian Penal Code and sections 3(1)(r) (s)(z) of SC/ST Act was rejected.

Allegations against the appellant is of abusing, assaulting by fists and slaps to the informant while he was doing some work in his newly constructed house.

It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to dirty village



politics. He has not taken the cast name of the informant in public view. General and omnibus allegation has been levelled against he petitioner. No offence is made out under the provisions of the SC/ST Act against them. The appellant has no intention to disgrace the image of the informant in public view.

The appeal for bail is opposed by learned Spl. P.P. for the State.

Having heard learned counsel for the parties and taking into consideration that there is general and omnibus allegation against the appellant, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 31.03.2022 passed in A.B.P. No 416/2022 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with SC/ST P.S. Case No.13 of 2021 in the event of arrest or surrender before the court below within a period of four weeks on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 1, Munger.

(Sunil Kumar Panwar, J)

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