

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3170 of 2021

Arising Out of PS. Case No.-18 Year-2021 Thana- SC/ST District- Saran

Arup Mukharjee Son Of Late Arun Mukharje Resident Of Village - Mohalla -
7th Floor Nayara Energy Ltd. Unit No.708, One Mall Dak Bunglow
Chouraha, P.S.- Kotawali, Dist.- Patna.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Tej Pratap Singh
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-05-2022 Heard learned counsel for the parties.

Though the Vakalatnama has already been filed on behalf
of the respondent no. 2 but no one has appeared on his behalf.

This is an appeal under section 14(A)(2) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act,
(hereinafter in short referred to as the 'SC/ST Act') against the
refusal of prayer for bail vide order dated 02.07.2021, passed by
learned 1st Additional Sessions Judge-cum-Special Judge SC/ST
Act, Saran at Chapra in connection with SC/ST P.S. Case No. 18
of 2021, registered under Section 323 of the IPC and Sections 3 (i)
(r) (s) of the SC/ST Act.

It is submitted by learned counsel for the appellant that the
appellant is innocent and has been falsely implicated in this case.
He submits that there is general and omnibus allegation levelled
against the appellant. He submits that occurrence took place on



28.01.2021 but FIR has been lodged on 01.03.2021. He submits that the appellant was in Ranchi from 27.01.2021 to 29.01.2021 in connection with work of Nayara Energy Limited and he stayed at Hotel Jade Square and this fact may easily be ascertained from CCTV of Hotel in question as well as Tower Location. He further submits that appellant has no criminal antecedent as stated in para-3 of this appeal.

Learned Spl. PP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, the above named appellant, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge-cum-Special Judge, Saran at Chhapra in connection with SC/ST P.S. Case No. 18 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Accordingly, the impugned order is set aside and the appeal is allowed.

(Anjani Kumar Sharan, J)

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