

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3828 of 2021**

Arising Out of PS. Case No.-287 Year-2020 Thana- TARAIIYA District- Saran

BACHCHA SINGH SON OF DARBESH SINGH RESIDENT OF
VILLAGE- BHATORA, P.S- TARAIIYA, DIST- SARAN AT CHAPRA

... .. Appellant/s

Versus

1. The State of Bihar
2. Prabhu Ram son of Late Ram Narayan Ram Resident of Village- Bhatura,
P.S.- Taraiya, District- Saran at Chapra

... .. Respondent/s

Appearance :

For the Appellant/s	:	Ms.Rajani Kumari Mr.Vijay Kumar
For the Respondent/s	:	Ms.Usha Kumari 1 Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 07-04-2022 Heard learned counsel for the appellant, learned counsel
for the informant and learned Special Public Prosecutor for the
State.

This is an appeal under section 14(A)(2) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act,
2015 (hereinafter in short referred to as the 'SC/ST Act') against
the refusal of prayer for bail vide order dated 09.08.2021 passed
by learned 1st Additional Sessions Judge -cum- Special Judge
SC/ST (POA) Act, Saran at Chapra, in connection with Taraiya
P.S. Case No.287 of 2020, registered under sections 341, 323,
324, 325, 307, 504, 506, 34 of the IPC and section 3(r)(va)
SC/ST Act.



The prosecution case in brief, is that all the FIR named accused persons including the appellant came at the door of the informant and started abusing him by taking caste name. They also assaulted the informant and others, who came for rescue.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. Appellant has been falsely implicated in the case due to dirty village politics. There is a case and counter-case between the parties. The injuries sustained by the injured are simple in nature. The allegation levelled against the appellant is not specific rather general and omnibus in nature. Similarly situated co-accused namely Indrajeet Singh has been granted bail vide order dated 31.03.2022 passed in Cr. Appeal (SJ) No.4355 of 2021 by this Court. The appellant has one criminal antecedent and has been languishing in custody since 08.06.2021.

Learned Spl. PP for the State as well as learned counsel for the respondent no.2 opposed the prayer for bail.

In the facts and circumstance of the case, considering that there is no specific allegation against the appellant and the custody undergone, the above named appellant is directed to be released on bail on furnishing bail bond of Rs.25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount



each to the satisfaction of the learned 1st Additional Sessions Judge -cum- Special Judge SC/ST (POA) Act, Saran at Chapra, in connection with Taraiya P.S. Case No.287 of 2020.

The impugned order is set aside and the appeal is accordingly allowed.

(Anjani Kumar Sharan, J)

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