

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2846 of 2022

Arising Out of PS. Case No.-141 Year-2022 Thana- ARA NAGAR District- Bhojpur

Sudhir Singh @ Sudheer Singh S/O Sharda Singh R/O Mohallah- M.P. Bagh,
P.S.- Ara Town, District- Bhojpur At Ara (Bihar), At Present Residing Village-
Barki Sigahi, P.O.- Chouk, P.S.- Ara Town, District- Bhojpur At Ara, Pin
Code- 802301 (Bihar)

... .. Appellant/s

Versus

1. The State of Bihar
2. Ritesh Paswan S/o Ramakant Paswan R/o village- Gausganj, P.S.- Ara
Town, District- Bhojpur at Ara (Bihar)

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-09-2022 Heard learned counsel for the appellant and

learned Special P.P for the State.

The appellant has challenged the order dated

13.07.2022 passed by learned 1st Additional Sessions

Judge-cum-Special Judge, SC/ST Act, Bhojpur in

connection with Ara Town P.S. Case No. 141 of 2022

instituted for the offences punishable under Sections

323, 341, 504 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. The appellant had no intention to insult the informant in public view. As per F.I.R, the occurrence took place in the house of the appellant, not in public view. Hence, the provisions under SC/ST Act would not be applicable in the case of the appellant. Moreover, good sense has prevailed between the parties as gets reflected from Annexure-2 of the appeal. A statement has been made in para 3 of the petition that appellants has no criminal antecedent.

Taking into account the aforesaid facts, this Court deems it appropriate to set aside the order dated 13.07.2022.

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 their 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, Bhojpur at Ara in connection with Ara Town P.S. Case No. 141 of 2022.

(Sunil Kumar Panwar, J)

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