

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4104 of 2021

Arising Out of PS. Case No.-64 Year-2021 Thana- TANDWA District- Aurangabad

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1. SUCHIT SINGH Son of Banarasi Singh Resident of Village - Lauwabar, P.S.- Tandwa, Dist.- Aurangabad.
 2. Sunil Singh Son of Banarasi Singh Resident of Village - Lauwabar, P.S.- Tandwa, Dist.- Aurangabad.
 3. Dharendra Singh Son of Late Rajeshwar Singh Resident of Village - Lauwabar, P.S.- Tandwa, Dist.- Aurangabad.

... .. Appellant/s

Versus

1. The State of Bihar
2. Bhim Kumar Son of Dasrath Paswan Resident of Vill. - Lauwabar, P.S.- Tandwa, Dist.- Aurangabad

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Pramendra Kumar Singh
For the Respondent/s : Mr. Spl.PP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-07-2022 Heard learned counsel for the appellants, learned counsel for the informant and learned Special Public Prosecutor for the State.

The instant appeal has been filed by the appellants against the order dated 04.09.2021 passed by learned 1st Additional District and Sessions Judge-cum-Special Judge (SC/ST), Aurangabad in ABP No. 1127 of 2021 whereby the prayer for bail of the appellant in connection with Tandwa P.S. Case no. 64 of 2021 under Sections 341, 323, 325, 447, 504, 506 and 34 of the Indian Penal Code and sections 3(1)(r)(s)/3(2)



(va)of SC/ST (POA) Act was rejected.

Allegations against the appellants is of abusing and assaulting the informant by lathi on his hand, back and head. They has also threatened them not to institute an FIR.

It is submitted by learned counsel for the appellants that appellants have been falsely implicated in this case due to land dispute. They have not taken the cast name of the informant in public view. Informant has received two injuries and doctor has opined that both injuries are simple in nature. They have got no criminal antecedent. 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 04.09.2021 passed in A.B.P. No1127 of 2021 is hereby set aside.



The appellant is directed to be enlarged on bail in connection with Tandwa P.S. Case No. 64 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 1st Additional District and Sessions Judge-cum-Special Judge (SC/ST), Aurangabad.

(Sunil Kumar Panwar, J)

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