

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3091 of 2022

Arising Out of PS. Case No.-397 Year-2022 Thana- DANAPUR District- Patna

Babalu Paswan @ Jayant Raj Son Of Late Ram Prasad Paswan Resident Of
Mohalla- Anand Bazar, Police Station- Danapur In The District Of Patna

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sunil Kumar

For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-09-2022 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 21.07.2022 passed by learned Exclusive Special Judge, SC/ST, Patna in ABP No. 4193 of 2022 whereby the prayer for bail of the appellant in connection with Danapur P.S. Case no. 397 of 2022 under Section 447, 448, 341, 323, 354, 307, 504, 506/34 of the Indian Penal Code and sections 3(1)(r)(s) of SC/ST Act was rejected.

Allegations against the appellant are of abusing by taking case name and assaulting her by Iron rod and piece of wood.

It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to land dispute. There is case and counter case. Injuries found of the



informant are simple in nature. They have not taken the cast name of the informant in public view. He has got no criminal antecedent. No offence is made out under the provisions of the SC/ST Act against him. 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 21.07.2022 passed in A.B.P. No. 4193 of 2022 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Danapur P.S. Case No. 397 of 2022 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 Exclusive Special Judge, SC/ST Act, Patna.

(Sunil Kumar Panwar, J)

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