

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4355 of 2021**

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

INDRAJEET SINGH S/o Ravindra Singh Resident of Village- Bhataura, P.S.-
Taraiya, District- Saran at Chhapra.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Vijay Bardhan Pandey
For the Respondent/s	:	Mr.Sadanand Paswan
For the Informant	:	Mr.Sanjay Kumar Singh Mr.Anant Kumar Mishra

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 31-03-2022 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) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities)
Amendment Act (hereinafter in short referred to as the ‘SC/ST
Act’) against the refusal of prayer for bail vide order dated
18.09.2021, passed by learned Additional District & Sessions
Judge -I, cum- Special Judge, SC/ST (POA) Act, Saran, in
connection with Tariya 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)(w) SC/ST (POA) Act.

The prosecution case in brief, is that all the FIR named



accused persons including the appellant came at the door of informant and started abusing him by taking caste name. They also assaulted the informant and others, who came for rescue. Allegation against the appellant is that he assaulted Shashi Ram with sword on his head.

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. The allegation levelled against the appellant is not specific rather general and omnibus in nature. There is case and counter-case between the parties. The injuries sustained by the injured Shashi Ram are simple in nature, the injury report is at Annexure-3. The appellant has been languishing in custody since 09.08.2021.

Learned Spl. PP for the State as well as learned counsel for the respondent no.2 opposed the prayer for bail and submits that there is specific allegation against the appellant to have assaulted the informant by sword.

In the facts and circumstance of the case, since the injuries of the injured are simple in nature and considering the custody of the appellant, 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 Additional District
& Sessions Judge -I, cum- Special Judge, SC/ST (POA) Act,
Saran, in connection with Tariya P.S. Case No.287 of 2020.

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

(Anjani Kumar Sharan, J)

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