

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3201 of 2022

Arising Out of PS. Case No.-14 Year-2022 Thana- SC/ST District- Madhubani

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1. Bihari Mandal Son Of Late Naryan Mandal R/O Village- Bijuband, Ward No.-2, P.S.- Andhramath, District- Madhubani
 2. Ranu Devi Wife Of Bihari Mandal R/O Village- Bijuband, Ward No.-2, P.S.- Andhramath, District- Madhubani

... .. Appellant/s

Versus

1. The State of Bihar
2. Rambesar Devi Wife Of Anuplal Safi R/O Village- Bijuband, Ward No.-2, P.S.- Andhramath, District- Madhubani

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Shailendra Kumar Jha
For the Respondent/s	:	Mr. Usha Kumari No.1, Spl. P.P.
For the Informant	:	Mr. Sanjiv Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-10-2022 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 03.08.2022 passed by learned Additional Sessions Judge 1st cum-Special Judge, Madhubani in ABP No. 1203 of 2022 whereby the prayer for bail of the appellants in connection with Madhubani SC/ST P.S. Case no. 14 of 2022 under Sections 448, 427, 323, 354, 324, 379 of the Indian Penal Code and sections 3(2)(va) of SC/ST (POA) Act was rejected.

Allegations against the appellants are of abusing by



taking the caste name of the informant and assaulting her by fists and slaps.

It is submitted by learned counsel for the appellants that appellants have been falsely implicated in this case due to land dispute and dirty village politics. They have got no criminal antecedent. Both parties have animus relation between each other. No offence is made out under the provisions of the SC/ST Act against them. There is case and counter case. The appellants have not taken the caste name of the informant in public view and they had no intention to disgrace his image.

The appeal for bail is opposed by learned Spl. P.P. for the State and learned counsel for the informant.

Having heard learned counsel for the parties and taking into consideration that there is general and omnibus allegation against the appellants, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 03.08.2022 passed in A.B.P. No. 1203 of 2022 is hereby set aside.

The appellants are directed to be enlarged on bail in connection with Madhubani SC/ST P.S. Case No. 14 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) each with two sureties of the like
amount each to the satisfaction of the learned Additional
Sessions Judge 1st Cum-Special- Judge, Madhubani.

(Sunil Kumar Panwar, J)

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