

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4453 of 2021**

Arising Out of PS. Case No.-15 Year-2021 Thana- ANTICHAK District- Bhagalpur

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1. RAJ KUMAR SINGH Son of Vijay Singh Resident of Village - Dayalpur, P.S. - Antichak, District - Bhagalpur.
 2. Neeraj Kumar Singh @ Neeraj Kumar Son of Vijay Singh Resident of Village - Dayalpur, P.S. - Antichak, District - Bhagalpur.
 3. Sonu Kumar Singh @ Sonu Singh Son of Vijay Singh Resident of Village - Dayalpur, P.S. - Antichak, District - Bhagalpur.

... .. Appellant/s

Versus

1. The State of Bihar
2. Akhilesh Kumar Mandal Late Basudeo Mandal R/O Village-Dayalpur, P.S.- Antichak, District- Bhagalpur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Surendra Kishore Thakur

For the Respondent/s : Mr.Spl.P.P.

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

4 29-09-2022 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

The instant appeal has been filed by the appellants against the order dated 1.10.2021 passed by learned Additional District & Sessions Judge III-cum-Special Judge, SC/ST Bhagalpur in ABA No. 1992 of 2021 whereby the prayer for bail of the appellants in connection with Antichak P.S. Case no. 15 of 2021 under Sections 341, 323, 504/34 of the Indian Penal Code and sections 3(i)(r)(s) of SC/ST (POA) Act was rejected.

Allegations against the appellants are of abusing by



taking the caste name of the informant and his family members by lathi, danda and iron rod.

It is submitted by learned counsel for the appellants that appellants have been falsely implicated in this case due to previous dirty village politics. They have got no criminal antecedent. There is case and counter case. No offence is made out under the provisions of the SC/ST Act against them. 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.

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 1.10.2021 passed in A.B.A. No. 1992 of 2021 is hereby set aside.

The appellants are directed to be enlarged on bail in connection with Antichak P.S. Case No. 15 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) each with two sureties of the like amount each to



the satisfaction of the learned Additional District & Sessions
Judge-III-cum-Special Judge, SC/ST, Bhagalpur.

(Sunil Kumar Panwar, J)

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