

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.3077 of 2022**

**In**  
**CRIMINAL MISCELLANEOUS No.62671 of 2021**

Arising Out of PS. Case No.-21 Year-2020 Thana- MAHILA PS District- Darbhanga

1. Ram Daresh Sharma @ Ram Daresh Thakur S/o Lakshmi Sharma Resident of Village- Harpur, Hanuman Nagar, P.S.- Simri, District- Darbhanga.
2. Naresh Kumar Sharma @ Naresh Sharma S/o Lakshmi Sharma Resident of Village- Harpur, Hanuman Nagar, P.S.- Simri, District- Darbhanga.
3. Kamlesh Kumar Sharma @ Kamesh Sharma S/o Lakshmi Sharma Resident of Village- Harpur, Hanuman Nagar, P.S.- Simri, District- Darbhanga.
4. Lakshi Sharma @ Lakshmi Thakur S/o Kusheswar Thakur Resident of Village- Harpur, Hanuman Nagar, P.S.- Simri, District- Darbhanga.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr.Nagendra Kumar

For the Respondent/s : Mr.Binay Krishna

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

3      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 16.09.2021 passed by learned Additional Sessions Judge-Cum-Special Judge (POA) Act, Darbhanga in ABP No. 1276 of 2021 whereby the prayer for bail of the appellants in connection with Darbhanga P.S. Case 21 of 2020 under Sections 341, 323, 325, 354, 354(B) 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 and outrage the modesty of informant. It is also alleged that the accused persons assaulted the informant with iron rod.

It is submitted by learned counsel for the appellants that appellants have been falsely implicated in this case dirty village politics. There is case and counter case. They have got no criminal antecedent. 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. After prevailing good sense the matter has been compromised between the parties.

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 16.09.2021 passed in A.B.P. No 1276 of 2021 is hereby set aside.

The appellants are directed to be enlarged on bail in connection with Darbhanga P.S. Case 21 of 2020 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 1<sup>st</sup> Additional District and Sessions Judge cum Spl. Judge (POA) Act, Darbhanga.

**(Sunil Kumar Panwar, J)**

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