

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3647 of 2022

Arising Out of PS. Case No.-196 Year-2022 Thana- CHAPRA MUFFASIL District- Saran

CHAMPA DEVI W/O JAYNATH RAI R/v - Tenua, P.S.- Muffasil, District- Saran (Chapra)

... .. Appellant/s

Versus

1. The State of Bihar
2. LAXMINA DEVI R/v - Tenua, P.S.- Muffasil, District- Saran (Chapra)

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Raghwendra Pratap Singh
For the Respondent/s	:	Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-11-2022 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State.

The instant appeal has been filed by the appellant against the order dated 02.09.2022 passed by learned Additional Sessions Judge 3rd Saran in Chapra in ABP No. 2268 of 2022 whereby the prayer for bail of the appellant in connection with Muffasil P.S. Case no. 196 of 2022 under Sections 341, 323, 324, 379/34 of the IPC and Section 3(1)(r)(s), 3(2)(ra) of SC/ST Act was rejected.

As per allegation in the FIR, while the informant was at her house regarding compromise of a matter with the appellant, he started to abuse the informant by taking her caste name and on oppose he assaulted her by means of danda as a



resulte of which blood started oozing from his head. Her family members came there to rescue her, they were also beaten up by him. It is further alleged that appellant and other accused persons took away Rs. 5,000/- and a mobile and threatened them of dire consequences.

It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to previous litigating term. General and omnibus allegations have been levelled against the appellant. He has not taken the cast name of the informant in public view. No offence is made out under the provisions of the SC/ST Act against them. He has got no criminal antecedent.

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 02.09.2022 passed in A.B.P. No. 2268/2022 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Muffasil P.S. Case No. 196 of 2022 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 Additional Sessions Judge 3rd Saran in Chapra. .

(Sunil Kumar Panwar, J)

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