

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL APPEAL (SJ) No.67 of 2022

Arising Out of PS. Case No.-31 Year-2021 Thana- MAHARAJGANJ District- Siwan

Sandeep Kumar S/O Mus Manjhi Resident Of Village- Sihauta Mauni Baba,
P.S.- Maharajganj, District- Siwan.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Satyendra Rai

For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-05-2022 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

Learned counsel for the appellant undertakes to remove the defects as pointed out by the office, within four weeks. In the eventuality of non-removal of defects within stipulated period, the office will place the matter before the Bench.

This is an appeal under section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer for bail vide order dated 16.11.2021, passed by learned Additional Sessions Judge 1st -cum- Special Judge, Siwan in connection with Maharajganj P.S. Case No.31/2021, registered under sections 147, 341, 323, 307, 504, 506 of the IPC and Sections 3 (i)(r)(s) of SC/ST Act.

Appellant is said to have assaulted the son of the informant by means of lathi, danda and iron rod as a result of which he received head injury.



It is submitted by learned counsel for the appellant that appellant is innocent and has not committed any offence. No such occurrence, in the manner as alleged has ever taken place. Appellant has been falsely implicated in the case due to enmity. The accusation does not constitute any offence under SC/ST Act as the petitioner also belongs to SC/ST community. There is general and omnibus allegation levelled against the appellant. The appellant has no criminal antecedent and he is in custody since 21.09.2021.

However, learned Spl. PP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the period of custody, let the above named appellant 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 Sessions Judge 1st -cum- Special Judge, Siwan in connection with Maharajganj P.S. Case No.31/2021.

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

(Anjani Kumar Sharan, J)

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