

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.58 of 2022

Arising Out of PS. Case No.-57 Year-2020 Thana- SC/ST District- Sheikhpura

Laxmi Prasad Son Of Late Maruan Mahto Resident Of Village - Jaanpur,
P.O.- Bakma, P.S.- Bahadaur, Distt.- Shekhpura, Bihar.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Prabhat Kumar Singh
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, respondent no.
2 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 26.11.2021, passed by learned 1st Additional District and Sessions Judge, Sheikhpura, in connection with Sheikhpura SC/ST P.S. Case No.57/2020, registered under sections 341, 323, 504, 406, 420, 467, 468 and 506 of the IPC and 3 Section (i)(r)(s) , 3 (2)(va) of SC/ST Act.



Appellant is said to have abused the informant by taking caste name

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 is made out inasmuch as there is no allegation that the alleged occurrence has taken place in public view. He submits that appellant has never taken any money from the complainant. There is no specific allegation against the appellant. The appellant has no criminal antecedent and is in custody since 08.11.2021.

Learned Spl. PP for the State and informant oppose the prayer for bail and submit that appellant is the main accused and there is specific allegation of abusing the informant by taking caste name.

Considering the facts that there is no specific allegation against the appellant, 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 1st Additional District and Sessions



Judge, Sheikhpura, in connection with Sheikhpura SC/ST P.S.
Case No.57/2020.

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

(Anjani Kumar Sharan, J)

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