

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4001 of 2022

Arising Out of PS. Case No.-489 Year-2022 Thana- BODHGAYA District- Gaya

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1. Ramendra Kumar Singh @ Ravindra Kumar @ Ravindra Kumar Singh Son Of Late Saryu Singh @ Saraju Singh R/O Village- Jaitiya, P.S.- Cherki, District- Gaya
 2. Sarmendra Singh @ Sarmendra Kumar Singh @ Samendra Singh Son Of Late Saryu Singh @ Saraju Singh R/O Village- Jaitiya, P.S.- Cherki, District- Gaya
 3. Sanjay Kumar Singh Son Of Late Saryu Singh @ Saraju Singh R/O Village- Jaitiya, P.S.- Cherki, District- Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Rinku Devi Wife Of Jitan Manjhi R/O Village- Jaitiya, P.S.- Cherki, District- Gaya

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Anil Kumar, Advocate
For the Respondent/s : Mrs. Usha Kumari 1, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-12-2022 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 7.09.2022 passed by learned Exclusive Special Judge, SC/ST Gaya in ABP No. 216 of 2022 whereby the prayer for bail of the appellants in connection with Bodh Gaya (Chekri) P.S. Case no. 489 of 2022 under Sections 341, 323, 354, 448, 504, 506 and 34 of the Indian Penal Code and sections 3(i)(r)(s)(w)(i), (3)(2)(v-a) of SC/ST Act was rejected.



Allegations against the appellants are of abusing by taking the caste name of the informant and assaulting her.

It is submitted by learned counsel for the appellants that appellants have been falsely implicated in this case due to previous election dispute and dirty village politics. They have got no criminal antecedent. It is further submitted that there is 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 07.09.2022 passed in A.B.P. No. 216/2022 is hereby set aside.

The appellants are directed to be enlarged on bail in connection with Bodh Gaya (Cherki) P.S case no. 489 of 2022 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 Exclusive Special Judge, SC/ST Gaya.

(Sunil Kumar Panwar, J)

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