

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.974 of 2023

Arising Out of PS. Case No.-684 Year-2022 Thana- DIGHA District- Patna

PINTU KUMAR @ RAMANAND KUMAR Son of Mohan Kumar @ Binod Shah R/o Mohallah Shivaji Nagar, Makdumpur Baghicha, P.S.- Digha, District- Patna

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. URMILA DEVI Wife of Sanjay Paswan R/v- Vaishali, P.S.- Mahua, District- Vaishali at present Mohallah Makdumpur, Shivaji Nagar tower (Rentor of Urmila Devi), P.S.- Digha District- Patna

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Arvind Kumar

For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 22-06-2023 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 5.1.2023 passed by learned Special Judge SC/ST Act, Patna in whereby the prayer for bail of the appellant in connection with Digha P.S. Case no. 684 of 2022 under Sections 341, 323, 325, 504 and 34 of the Indian Penal Code and sections 3(i)(r)(s) of SC/ST Act was rejected.

Allegations against the appellant is of abusing and assaulting the informant when she went to the informant to take her money back. Mother-in-law of the informant was also beaten up by the accused persons while she was trying to rescue the informant.

It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case over a trivial



dispute of Rs. 100/-. No specific allegation of assault is attributed to the appellant. There is case and counter case. Appellant 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 and languishing in judicial custody since 11.11.2022.

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 5.1.2023 passed in Digha P.S. Case No. 684 of 2022 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Digha P.S. Case No. 684 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 Special Judge SC/ST Act, Patna.

(Sunil Kumar Panwar, J)

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