

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1069 of 2023**

Arising Out of PS. Case No.-120 Year-2022 Thana- MAHKAR District- Gaya

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Ram Pravesh Singh Son Of Late Kamdeo Rai Resident Of Dharampur, P.O.-
Sapneri, P.S.- Mahkar, District- Gaya.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Bipin Bihari Singh
For the Respondent/s : Mr.Usha Kumari 1

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 06-07-2023 Heard learned counsel for the appellant,

informant and learned Special P.P for the State.

The appellant has challenged the order dated

24.01.2023 passed by learned Special Judge, SC/ST

Act, Gaya in connection with Mahkar P.S. Case No. 120

of 2022 instituted for the offences punishable under

Sections 341, 323, 325, 354, 379, 504, 506 of the

Indian Penal Code and Sections 3(1)(r)(s)(w)(i), 3(2)(v-

a) of the SC/ST Act whereby his prayer for being

released on bail has been rejected.

It is a case of assaulting the informant and her

husband and abusing them by calling their caste name.



It is submitted by learned counsel for the appellant that appellant is innocent and he has falsely been implicated in this case. It is further submitted that due to a petty dispute, the accusation has been levelled against the appellant. As per F.I.R, the occurrence did not take place in public view. Hence, the provision under SC/ST Act would not be attracted in the case of the appellant. The appellant is in custody since 21.12.2022. A statement has been made in para 3 of the petition that appellant has clean antecedent.

Learned Special P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the appellant.

Taking into account the aforesaid facts, this Court deems it appropriate to set aside the order dated 24.01.2023 passed by learned Special Judge, SC/ST Act, Gaya in connection with Mahkar P.S. Case No. 120 of 2022.

Accordingly, this appeal is allowed.



The appellant, above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST Act, Gaya in connection with Mahkar P.S. Case No. 120 of 2022.

(Sunil Kumar Panwar, J)

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