

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1554 of 2023

Arising Out of PS. Case No.-12 Year-2023 Thana- CHAND District- Kaimur (Bhabua)

1. Kalicharan Bind Son Of Tengana Bind Resident Of Village - Paharaicha, P.S. - Chand, Distt. - Kaimur At Bhabua
2. Ramashray Bind Son Of Tengana Bind Resident Of Village - Paharaicha, P.S. - Chand, Distt. - Kaimur At Bhabua
3. Punwasi Bind Son Of Tengana Bind Resident Of Village - Paharaicha, P.S. - Chand, Distt. - Kaimur At Bhabua
4. Tengana Bind Son Of Late Rambriksh Bind Resident Of Village - Paharaicha, P.S. - Chand, Distt. - Kaimur At Bhabua
5. Rajesh Bind Son Of Shivtahal Bind Resident Of Village - Paharaicha, P.S. - Chand, Distt. - Kaimur At Bhabua
6. Sitaram Bind @ Sri Sitaram Jee Son Of Late Ramjee Bind Resident Of Village - Paharaicha, P.S. - Chand, Distt. - Kaimur At Bhabua
7. Belash Bind Son Of Daroga Bind Resident Of Village - Paharaicha, P.S. - Chand, Distt. - Kaimur At Bhabua

... .. Appellant/s

Versus

1. The State Of Bihar
2. Yamuna Paswan Son Of Gunraj Paswan Resident Of Village - Paharaicha, P.S. - Chand, Distt. - Kaimur At Bhabua

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rajani Kant Pandey
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-07-2023 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

In view of the earlier order dated 19.04.2023, the informant was informed about his appearance in this case by the learned Special P.P. for the State, but nobody has entered appearance on his behalf.

This is an appeal under section 14(A)(2) of the Scheduled



Castes and Scheduled Tribes (Prevention of Atrocities) Act, (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer for bail vide order dated 02.03.2023, passed by learned Special Judge (SC/ST), Kaimur at Bhabua in connection with Chand P.S. Case No. 12 of 2023, registered under Sections 341, 323, 325, 307/34 of the IPC and Sections 3(1) (r)(s) of SC/ST Act.

Learned counsel for the appellants submits that the appellants are innocent and have been falsely implicated in this case. He submits that there is general and omnibus allegation levelled against the appellants. He submits that there is no specific overt act against the appellants to abuse the informant by taking caste name. He submits that there is case and counter case between the parties and both side have sustained injury. He further submits that appellants have no criminal antecedent as stated in para-3 of this appeal.

However, learned Special P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the above named appellants in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail



bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge (SC/ST), Kaimur at Bhabua in connection with Chand P.S. Case No. 12 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Accordingly, the impugned order is set aside and the appeal is allowed.

(Anjani Kumar Sharan, J)

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