

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.1625 of 2023**

Arising Out of PS. Case No.-3 Year-2023 Thana- SC/ST District- Sheohar

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VISHAL KUMAR SINGH S/o- MUKESH SINGH Village- Sarvopur Ps-  
Tariyani Dist- Sheohar

... .. Appellant/s

Versus

1. The State of Bihar
2. Vikash Ram son of Sahdeo Ram Village- Sarvopur ward no-5, Ps- Tariyani  
Dist- Sheohar

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Pankaj Kumar

For the Respondent/s : Mr. Sadanand Paswan

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      06-07-2023                      Heard learned counsel for the appellant and learned  
Special Public Prosecutor for the State.

The instant appeal has been filed by the appellant against the order dated 2.3.2023 passed by learned Additional District & Sessions Judge-1, Cum-Special Judge, Sheohar whereby the prayer for bail of the appellant in connection with SC/ST Case No. 03 of 2023 under Sections 341, 323, 32, 447, 504/34 of the Indian Penal Code and sections 3(i)(r)(s), 3(i)(w), 3(2)(r), 3(2)(va) of SC/ST Act was rejected.

Case of prosecution, is that the accused persons including the petitioner came at the house of informant and started assaulting by taking his caste name. During course of this incident, co-accused Avainash Kumar assaulted the



informant by means of knife due to which he sustained injury.

It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to dirty village politics. From perusal of FIR, it is evident that the specific allegation of assaulting by means of knife is against co-accused Avinash Kumar @Lotan Singh whereas, general and omnibus allegation leveled against this appellant. He has not taken the caste name of the informant in public view hence, no offence is made out under the provisions of the SC/ST Act against him. The appellant has no intention to disgrace the image of the informant. It is also submitted that the appellant has got no criminal antecedent and languishing in judicial custody since 24.2.2023.

Learned Spl. PP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail.

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 2.3.2023 passed in SC/ST Case No. 03 of 2023 is hereby set aside.



The appellant is directed to be enlarged on bail in connection with SC/ST Case No. 03 of 2023 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 Additional District and Sessions Judge-1-cum- Special Judge, Sheohar.

(Sunil Kumar Panwar, J)

Amandeep/-

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