

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1593 of 2023**

Arising Out of PS. Case No.-50 Year-2022 Thana- SC/ST District- Sheikhpura

Md. Shakil @ Md. Sakil Son Of Late Nasir Miyan R/O Vill.- Hasauri, P.S.
And Distt.- Sheikhpura.

... .. Appellant/s

Versus

1. The State of Bihar
2. Rajniti Paswan Son Of Late Charitra Paswan R/O Vill.- Hasauri, P.S. And Distt.- Sheikhpura.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Dinkar Kumar

For the Respondent/s : Mr.Sadanand Paswan

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

4 13-07-2023 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 18.03.2023 passed by learned 1st Additional District and Sessions Judge, Sheikhpura, whereby the prayer for bail of the appellant in connection with Sheikhpura (SC/ST) P.S. Case No. 50 of 2022 under Sections 341, 323, 324, 379, 504, and 506/34 of the Indian Penal Code and Sections 3(2)(va) and 3(i)(r)(s) of the SC/ST Act was rejected.

As per prosecution case, when the informant was going to plough his field near the Masjid Gali, all accused



persons armed with *Bhala*, *Talwar* and farsa started abusing and assaulting to the informant and snatched Rs. 1100/- from the informant's pocket. The allegation against the appellant is of assaulting the son of the informant, 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. He has not taken the caste name of the informant in public view. No offence is made out under the provisions of the SC/ST Act against him. The injury, which was sustained to the informant's son by the appellant is simple in nature. The appellant and the informant are co-villagers and residing in the same village. The appellant has no intention to disgrace the image of the informant in public view. He is languishing in judicial custody since 24.02.2023.

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, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 18.03.2023 arising out of Sheikhpura (SC/ST) P.S. Case No. 50 of 2022 is hereby set aside.



The appellant is directed to be enlarged on bail in connection with Sheikhpura (SC/ST) P.S. Case No. 50 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 1st Additional District and Sessions Judge, Sheikhpura.

(Sunil Kumar Panwar, J)

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