

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1783 of 2023

Arising Out of PS. Case No.-158 Year-2021 Thana- KUMAR KHAND District- Madhepura

Dhruv Narayan Singh Son Of Late Satyanarayan Singh Village- Sikarahatti
Ps- Kumarkhand Dist- Madhepura

... .. Appellant/s

Versus

1. The State of Bihar
2. Chowkidar Sanjeev Kumar son of Radhey Paswan Village- Laxmipur Ps-
Kumarkhand Dist- madhepura

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Kanchan Kumari

For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-08-2023 Heard learned counsel for the appellant and

learned Special P.P for the State.

The appellant has challenged the order dated
06.01.2023 passed by learned 1st Additional Sessions
Judge, SC/ST Act, Madhepura in connection with
Kurkhand P.S. Case No. 158 of 2021 instituted for the
offences punishable under Sections 341, 323, 333, 353,
436, 307, 504, 506, 34 of the Indian Penal Code and
Sections 3(1)(r)(s) of the SC/ST Act whereby his prayer
for being released on bail has been rejected.

It is a case of assaulting, burning the



motorcycles, looting the household articles and abusing by calling caste name.

It is submitted by learned counsel for the appellant that appellant is innocent and he has falsely been implicated in this case. The appellant is not named in the F.I.R and his name subsequently came during the course of investigation. There is previous dispute between the informant and the appellant's side. Moreover, the occurrence took place in the house. Hence, the provision under SC/ST Act shall not be attracted against the appellant. It is also submitted that good sense has prevailed between the parties and both sides have compromised the matter. The appellant is in custody since 11.12.2022. 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 06.01.2023.

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 Additional District & Sessions Judge, 1st, Madhepura in connection with Kumarkhand P.S. Case No. 158 of 2021.

(Sunil Kumar Panwar, J)

Shageer/-

U		T	
---	--	---	--

