

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2288 of 2023

Arising Out of PS. Case No.-68 Year-2023 Thana- KALYANPUR District- East Champaran

ABHISHEK SINGH son of Late Bachcha Singh @ Bacha Singh Village-
Bahura Harivans, Ps- Kalyanpur Dist- East Champaran

... .. Appellant/s

Versus

1. The State of Bihar
2. Shushila Devi wife of Nagendra Das R/o- Math Govardhan Ps- Kalyanpur
Dist- East Champaran

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Brajesh Kumar Singh
For the Respondent/s	:	Mr.Binay Krishna
For the Informant	:	Mr. Madhurendra Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 24-08-2023 Heard learned counsel for the appellant, learned
counsel for the informant and learned Special Public Prosecutor
for the State.

The instant appeal has been filed by the appellant
against the order dated 12.04.2023 passed by learned Special
Judge SC/ST. East Champaran, Motihari whereby the prayer for
bail of the appellant in connection with Kalyanpur P.S. Case no.
68 of 2023 under Sections 279, 341, 342, 323, 324, 307, 354(B),
504, 506/34 of the Indian Penal Code and sections 3(i)(r)(s) of
the SC/ST Act was rejected.

As per allegation in the FIR, on 27.02.2023 two goats
of informant were being crushed under the motorcycle of the



accused person. On protest, accused persons including the appellant assaulted the informant by pulling her hair and they also abused by addressing her caste name. Accused Sanjeet Singh assaulted the informant's son on his head by iron rod and during course of treatment he died.

It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. Specific allegation of assault is against Sanjeet Singh and not against the appellant. He has not taken the cast name of the informant in public view. No offence is made out under the provisions of the SC/ST Act against the appellant. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 14.07.2023 passed in Cr. Appeal (SJ) No. 2108 of 2023. He has got no criminal antecedent and languishing in judicial custody since 3.3.2023.

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 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 12.04.2023 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Kalyanpur PS Case No. 68 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 Special Judge SC/ST East Champaran, Motihari.

(Sunil Kumar Panwar, J)

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