

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2505 of 2023

Arising Out of PS. Case No.-103 Year-2023 Thana- MITHANPURA District- Muzaffarpur

Abhishek Kumar S/O Shri Mithilesh Kumar @ Mithlesh Kumar Verma R/O
Mohalla Baban Bigha, Road number-17, P.O.-Ramana, P.S.-Mithanpura,
Dist.-Muzaffarpur

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. ADITYA KUMAR S/O SHRI ABHIRUCHIT KUMAR R/O Mohalla
Kanhali math, P.O.-Ramana, P.S.-Mithanpura, Dist.-Muzaffarpur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Arvind Kumar Verma
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-09-2023 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State.

The instant appeal has been filed by the appellant against the order dated 24.4.2023 passed by learned Special Judge SC/ST (POA) Muzaffarpur whereby the prayer for bail of the appellant in connection with Mithanpura P.S. Case no. 103/2023 under Sections 341, 323, 307, 379, 504, 506, 406/420 of the Indian Penal Code and sections 3(1)(r)(s), 2(va) of the SC/ST Act was rejected.

AS per allegation in the FIR, informant had entered into an agreement with the appellant to sell his truck for the estimated cost of Rs. 1,95,000/-. It is alleged that appellant had



not paid the entire consideration amount to the informant and he demanded his money back on which petitioner misbehaved with the informant and abused him with his cast name.

It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. Informant has received simple injury. The present case counter blast to Complaint Case no. 626 of 2023 filed by 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 them. He has got no criminal antecedent and languishing in judicial custody since 13.3.2023.

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 24.04.2023 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Mithanpura PS Case No. 103 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 (POA) Muzaffarpur.

(Sunil Kumar Panwar, J)

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