

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2582 of 2023

In
CRIMINAL MISCELLANEOUS No.23226 of 2023

Arising Out of PS. Case No.-701 Year-2022 Thana- DHANARUA District- Patna

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Guddu Kumar Singh @ Guddu Singh S/O Haribansh Narayan Singh R/O
Village- Khorampur, P.S- Dhanarua, Distt.- Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Deepak Kumar

For the Respondent/s : Mr.Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 03-08-2023 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 8.2.2023 passed by learned Special Judge (SC/ST), Patna in serial No. 371 of 2022, whereby the prayer for bail of the appellant in connection with Dhanarua P.S. Case no. 701 of 2022 under Sections 341, 323, 504 of the Indian Penal Code and sections 3(1)(r)(s)(w), 3(2)(va) of SC/ST Act was rejected.

As per FIR, the informant who is cook in a school alleged that the appellant came there in drunken state and started misbehaving with her. On protest, the appellant assaulting by taking her caste name.



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 as such, 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 in public view. Entire allegations leveled against the petitioner are false and fabricated. It is also submitted that all the sections mentioned in the prosecution case are bailable. Moreover, the appellant is languishing in judicial custody since 20.11.2022.

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 8.2.2023 passed in Serial No. 371 of 2022 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Dhanarua P.S. Case No. 701 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 Special Judge (SC/ST Act), Patna.

(Sunil Kumar Panwar, J)

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