

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3156 of 2023**

Arising Out of PS. Case No.-419 Year-2022 Thana- GAIGHAT District- Muzaffarpur

RAMJINISH SINGH @ RAM DINESH SINGH Son of Late Yaduni Singh
Resident of village-Pirauchha, P.S.-Gaighat, O.P.-Benibad, District-
Muzaffarpur

... .. Appellant/s

Versus

1. The State of Bihar
2. RAJKUMARI DEVI Wife of Yogi Ram Resident of village-Pirauchha, P.S.-
Gaighat, O.P.-Benibad, District-Muzafarpur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Dileep Kumar Singh
For the Respondent/s : Mr.Binay Krishna

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

3 05-10-2023 Though notice has been issued to O.P. No-2, no one
has turned up to assist the Court.

2. Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State.

3. The instant appeal has been filed by the appellant
against the order dated 18.04.2023 passed by learned Special
Judge SC/ST, POA, Act Muzaffarpur whereby the prayer for
bail of the appellant in connection with Gaighat P.S. Case no.
419 of 2022 under Sections 147, 149, 341, 323, 307, 354,
379, 504, 506 of the Indian Penal Code and sections 3(i)(r)(s)
of SC/ST Act was rejected.

4. Allegation against the appellant and co-accused



is that they assaulted husband of the informant by means of iron rod and bamboo stick due to which injured sustained injuries. It is further alleged that they also tore shree and blouse of the informant and abused her by taking her caste name.

5. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to previous land dispute. There is case and counter case between the parties and both parties have sustained injuries in separate occurrence. There is inordinate delay in lodging the FIR without given any cogent reason. 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. Similarly situated co-accuse has already been granted bail by a coordinate Bench of this Court vide order dated 01.09.2023, passed in Cr. Misc. No. 1867 of 2023. It is further submitted that the appellant has got no criminal antecedent. Moreover, he is languishing in judicial custody since 01.02.2023.

6. The appeal for bail is opposed by learned Spl. P.P. for the State.

7. 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 18.04.2023 is hereby set aside.

8.The appellant is directed to be enlarged on bail in connection with Gaighat P.S. Case no. 419 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, POA Act, Muzaffarpur.

(Sunil Kumar Panwar, J)

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