

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3240 of 2023**

Arising Out of PS. Case No.-133 Year-2023 Thana- GURUA District- Gaya

=====

SURJAN DANGI @ SURANJAN KUMAR SON OF MANOJ DANGI @
MANOJ PRASAD RESIDENT OF VILLAGE- RAKSHA NAGWAN
GARH, P.S.- GURUA, DISTRICT- GAYA

... .. Appellant/s

Versus

1. The State of Bihar
2. PINTU KUMAR SON OF SHIVNATH CHAUDHARY R/O VILLAGE-
NAUDIHA, P.S.- GURUA, DISTRICT- GAYA.

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr.Arvnendra Kumar Thakur
For the Respondent/s : Mr.Usha Kumari 1

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-11-2023 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellant against the order dated 20.05.2023 passed by learned Special Judge (SC & ST) Act, Gaya whereby the prayer for bail of the appellant in connection with Gurua P.S. Case no.133 of 2023 under Sections 341, 323, 447, 307, 385, 379, 506 and 34 of the Indian Penal Code and sections 3(1)(r)(s) and 3(2)(v) of SC/ST (POA) Act was rejected.

3. Allegation against the accused persons including the appellant is of abusing and assaulting the informant and his family members with bat and hockey as a result of which



they sustained injury. It is further alleged that accused persons have snatched some gold ornaments and took away of Rs. 15,000/- from the shop counter of the informant and mobile phone of brother of informant.

4. It is submitted by learned counsel for the appellant that appellant is innocent and has committed no offence. He has been falsely implicated in this case due to Local village politics. The F.I.R. has been lodged after the delay of five days. All the allegations are general and omnibus in nature and no specific over act is attributed to the appellant. He has not been arrested from the place of occurrence and nothing incriminating articles have been recovered from his conscious possession. 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. As far as the injury of the injured is concerned, is simple in nature. The appellant has no criminal antecedent and he is languishing in judicial custody since 20.03.2023.

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

6. 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 20.05.2023 is hereby set aside.

7.The appellant is directed to be enlarged on bail in connection with Gurua P.S. Case No.133 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 Act, Gaya.

(Sunil Kumar Panwar, J)

lata/-

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

