

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3408 of 2023

Arising Out of PS. Case No.-60 Year-2023 Thana- SANGRAMPUR District- Munger

Binod Kumar Sah @ Binod Kumar S/O Late Ganouri Prasad Sah R/O
Village- Bichhi Chachar, P.O. Bichhi Chachar, Ps. Sangrampur, Dist. Munger

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rekha Prasad

For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-11-2023 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellant against the order dated 22.6.2023 passed by learned Additional District & Session Judge -Cum-Special Judge SC/ST, Munger whereby the prayer for bail of the appellant in connection with Sangrampur P.S. Case no. 60 of 2023 under Sections 341, 323, 406, 504/34 of the Indian Penal Code and sections 3(I)(r)(s), w(i)/3(2)(va) of SC/ST Act was rejected.

3. As per prosecution case, the appellant is said to have been possessed money of the informant which was taken for her daughter's marriage. The petitioner accepted that if he did not pay entire money or time he would give land. Thereafter, the appellant did not return the money or land on time and when



the informant asked for the same, the appellant abused and assaulted her.

4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to dirty village politics. It is also submitted vide para-11 of the petition that the informant made the petitioner an accused for taking money for giving land in the year 2018 without any receipt or agreement to sale. The appellant 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. It is also submitted that it is a case of civil in nature for which, criminal proceeding has been initiated against the appellant. He has got no criminal antecedent and languishing in judicial custody since 12.6.2023.

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

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 22.6.2023 passed in Sangrampur P.S. Case no. 60 of 2023 is hereby set aside.



7. The appellant is directed to be enlarged on bail in connection with Sangrampur P.S. Case no. 60 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 Additional District & Session Judge -Cum-Special Judge SC/ST, Munger.

(Sunil Kumar Panwar, J)

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