

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3552 of 2023**

Arising Out of PS. Case No.-338 Year-2022 Thana- BANMANKHI District- Purnia

Sumit Singh @ Sumit Kumar Singh S/O Ravi Shankar Singh R/O Village-
Aliganj, Ps. Barhara Kothi, Dist. Purnea

... .. Appellant/s

Versus

1. The State Of Bihar
2. Lakru Paswan @ Shyam Sunder Paswan S/O Late Ayodhi Paswan R/O
Village- Jiwach Pur, Ward No. 12, Ps. Banmankhi, Dist. Purnea, Mobile No.
9263506845

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Vijay Shankar Shrivastava
For the Respondent/s	:	Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-10-2023 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 03.07.2023 passed by learned Special Judge, SC/ST Act whereby the prayer for bail of the appellant in connection with Banmankhi P.S. Case No. 338 of 2022 under Sections 341, 323, 307, 504, 506 and 34 of the Indian Penal Code and sections 3(i) (r) and (s) of SC/ST Act was rejected.

Allegation against the appellant along with other co-accused persons is that they abused the informant along with his family members by taking caste name and further they assaulted the informant along with his family members due to which they



sustained injuries.

It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to village politics and land dispute. 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. There is case and counter case between the parties and both parties have sustained injuries as alleged in separate occurrence. It is further submitted that the nature of the injuries of the injured is simple. A statement has been made in para-3 of this petition that the appellant has got no criminal antecedent. Moreover, he is languishing in judicial custody since 20.06.2023.

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 03.07.2023 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Banmankhi P.S. Case No 338 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, Purnea.

(Sunil Kumar Panwar, J)

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