

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3615 of 2023**

Arising Out of PS. Case No.-28 Year-2023 Thana- SC/ST
District- Patna

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1. Chandrabhushan Pd. Verma Son Of Late. Triliko Prasad Verma Resident Of Village- Gurhatta Mashuk, Ali Road, Ps- Khajekala, Dist- Patna
 2. Kumar Aditya @ Bhola Son of Chandrabhushan Pd. Verma Resident Of Village- Gurhatta Mashuk, Ali Road, Ps- Khajekala, Dist- Patna

... .. Appellant/s

Versus

1. The State Of Bihar
2. Sudhanshu Kumar Son Of Uday Shankar Das Resident Of Village- Gurhatta Mashuk, Ali Road, Ps- Khajekala, Dist- Patna

... .. Respondent/s

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Appearance :

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

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

ORAL ORDER

3 30-11-
2023

Learned counsel for the appellants is permitted to
make necessary corrections in the father's name of
appellant No. 2.



Learned counsel for the appellant seeks permission to withdraw the appeal in respect of appellant No. 1, namely, Chandrabhushan Pd. Verma.

Permission is accorded.

Accordingly, the appeal with regard to appellant No. 1, namely, Chandrabhushan Pd. Verma is dismissed as withdrawn.

Learned counsel for the appellant is pressing this appeal in respect of appellant No. 2, namely, Kumar Aditya.

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

The instant appeal has been filed by the appellant against the order dated 11.07.2023 passed by learned Exclusive Special Judge, SC/ST, Patna whereby the prayer for bail of the appellant in connection with SC/ST P.S. Case no. 28 of 2023 under Sections 406, 420, 504, 506/34 of Indian Penal Code and Sections 3(i)(r)(s) 3(2) (va) of SC/ST Act was rejected.

The prosecution case in nutshell is that co-accused, Chandrabhushan Pd. Verma fraudulently took Rs.



1,00,000/- from the informant in the name of providing him job, impersonating him as an employee of Patna High Court. When the informant demanded his money, appellant called some boys who were adamant to commit quarrel.

It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. There is case and counter case between the parties. The appellant 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 no specific allegation against the appellant rather the allegation levelled against him is general and omnibus. A statement has been made in para 3 of the appeal that appellant has no criminal antecedent.

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

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 11.07.2023 is hereby set aside.



The appellant is directed to be enlarged on bail in connection with SC/ST P.S. Case No. 28 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 Exclusive Special Court SC/ST, Patna.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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