

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3659 of 2022

Arising Out of PS. Case No.-226 Year-2022 Thana- BIHIA District- Bhojpur

RAJ KUMAR SINGH Son of Late Dinanath Singh Resident of village -
Charghat, Police Station - Bihiya (Bahoranpur OP), District - Bhojpur at Ara

... .. Appellant/s

Versus

1. The State of Bihar
2. Abhay Kumar Son of Banshidhar Ram Resident of Village - Gaura, Police
Station - Bihiya (Bahoranpur OP), District - Bhojpur at Ara

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ravi Shanker Pankaj
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-02-2023 Heard learned counsel for the appellant, learned
counsel for the informant and learned Special Public Prosecutor
for the State.

The instant appeal has been filed by the appellant
against the order dated 08.09.2022 passed by learned 1st
Additional Sessions Judge-cum-Special Judge Schedule
Caste/Schedule Tribe Act, Bhojpur at Ara in BP No. 5343 of
2022 whereby the prayer for bail of the appellant in connection
with Bihiya (Bahoranpur OP) P.S. Case no. 226 of 2022 under
Sections 3(i)(r)(s) of the SC/ST Act and Sections 341, 323, 324,
504, 506, 307/34 of the Indian Penal Code was rejected.

As per allegation in the FIR, appellant and others have



asked the informant to work in their agricultural field to which, informant denied on the plea that they did not pay the actual wage. On order of co-accused Manmohan Singh, several accused persons including appellant have abused and assaulted the informant and his friend and threatened him of dire consequences if they inform the matter to the police.

It is submitted by learned counsel for the appellants that appellant has been falsely implicated in this case due to dirty village politics. General and omnibus allegation has been levelled against the petitioner. He has not taken the cast name of the informant in public view. No offence is made out under the provisions of the SC/ST Act against him. He has got no criminal antecedent. Appellant is languishing in judicial custody since 18.08.2022.

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 08.09.2022 passed in B.P. No. 5343 of 2022 is hereby set aside.



The appellant is directed to be enlarged on bail in connection with Bihiya (Bahoranpur OP) P.S. Case No. 226 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 1st Additional Sessions Judge-cum-Special Judge , SC/ST Act, Bhojpur at Ara.

(Sunil Kumar Panwar, J)

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