

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4340 of 2023

Arising Out of PS. Case No.-148 Year-2023 Thana- KASHICHAK District- Nawada

Md. Chand Alam @ Chand Alam Son Of Maksud Khan @ Maksood Khan
Resident Of Ariyari, P.S. - Ariyari, District - Sheikhpura

... .. Appellant/s

Versus

1. The State Of Bihar
2. Pushpa Rani Das Daughter Of Dharmendra Ravidas Resident Of Rewara,
P.S. - Kashichak, District - Nawada

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Saroj Kumar Choudhary
For the Respondent/s : Mrs.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-11-2023 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 12.07.2023 passed by learned Exclusive Special Court, SC/ST Act, Nawada whereby the prayer for bail of the appellant in connection with Kashichak P.S. Case no. 148 of 2023 under Sections 341, 323, 366, 354, 506 of the Indian Penal Code and sections 3(i)(r)(s)(w) of the SC/ST Act was rejected.

3. Allegation against the appellant is that he tried to take away the informant while she was returning after vaccination. On hulla, people assembled and even her father



was there who identified her and saved her. Appellant slapped her father.

4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. 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. He has not committed any wrong with the informant. No specific allegation has been levelled against the appellant. 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 15.06.2023.

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 12.07.2023 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Kashichak P.S. Case No. 148 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, Act, Nawada.

(Sunil Kumar Panwar, J)

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