

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3772 of 2022

Arising Out of PS. Case No.-160 Year-2022 Thana- DHANARUA District- Patna

Shiv Ranjan Singh @ Tantu Singh @ Shiv Ranjan Kumar Son Of Late
Kanchan Singh Resident Of Village - Mustafapur, P.S.- Dhanarua, District -
Patna.

... .. Appellant/s

Versus

1. The State of Bihar
2. Dharambeer Paswan Son of Arjun Paswan Resident of Village - Chalgullah,
P.S.- Dhanarua, District - Patna.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Rajesh Kumar
For the Respondent/s	:	Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

- 3 12-01-2023 Heard learned counsel for the appellant and

learned Special P.P for the State.

The appellant has challenged the order dated

16.09.2022 passed by learned Special Judge, SC/ST

Act, Patna in connection with Dhanarua P.S. Case No.

160 of 2022 instituted for the offences punishable under

Sections 323, 341, 325, 504 of the Indian Penal Code

and Sections 3(1)(r)(s) of the SC & ST (Prevention of

Atrocities) Act, whereby his prayer for being released on

anticipatory bail has been rejected.



The accusations are of making assault and abusing by calling caste name.

It is submitted by learned counsel for the appellant that appellant has falsely been implicated in this case. For the alleged occurrence of 05.01.2022, the F.I.R was instituted on 29.03.2022 without explaining the delay. As per F.I.R, the occurrence did not take place in public view. Hence, the provisions under SC/ST Act would not be applicable in the case of the appellant. The appellant is languishing in custody since 24.07.2022.

Taking into account the aforesaid facts, this Court deems it appropriate to set aside the order dated 16.09.2022 passed by learned Special Judge, SC/ST Act, Patna in connection with Dhanarua P.S. Case No. 160 of 2022.

Accordingly, this appeal is allowed.

The appellant, above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/-



(ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST Act, Patna in connection with Dhanarua P.S. Case No. 160 of 2022.

(Sunil Kumar Panwar, J)

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