

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4017 of 2022**

Arising Out of PS. Case No.-227 Year-2020 Thana- KOPA District- Saran

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BHANU PRATAP SINGH @ BHANU SINGH @ VINAY SINGH S/O LAL
BABU SINGH Resident of Village- Majhwaliya, P.S.- Kopa, District- Saran.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

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

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

3 02-03-2023 At the outset, learned Special Public Prosecutor submits that he has got information by concern police officials that in spite of several efforts, informant could not be traced out.

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

The instant appeal has been filed by the appellant against the order dated 19.10.2022 passed by learned 3rd Additional Sessions Judge-cum-SC/ST Special Court, Saran in SC/ST Kopa P.S. Case No. 227 of 2020 whereby the prayer for bail of the appellant under Sections 341, 323, 447, 504/34 of the Indian Penal Code and sections 3(i)(r)(s) of SC/ST Act was rejected.

As per prosecution story, while the informant along with his family members was returning home, in the meantime,



co-accused Dharmendra Singh smoked out upon the face of the informant's son. Thereafter, on the same night, the co-accused persons including the appellant came at informant house and abused him by taking his caste name.

It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to dirty village politics. 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. The appellant has no intention to disgrace the image of the informant in public view. It is further submitted that the appellant is languishing in judicial custody since 30.5.2022.

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 19.10.2022 passed in SC/ST Kopa P.S. Case No. 227 of 2020 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with SC/ST Kopa P.S. Case No. 227 of 2020 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 3rd Additional Sessions Judge-cum-SC/ST Special Court, Saran.

(Sunil Kumar Panwar, J)

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