

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.231 of 2023

Arising Out of PS. Case No.-20 Year-2022 Thana- ATHMALGOLA District- Patna

=====

ABHISHEK KUMAR @ LALLU SON OF LATE SURESH SINGH R/O
VILLAGE- SABNIMA, P.S.- ATHMALGOLA, DISTRICT- PATNA

... .. Appellant/s

Versus

1. The State of Bihar
2. SIKANDAR PASWAN @ BABLU PASWAN SON OF JAGDEO PASWAN
R/O VILLAGE- SABNIMA, P.S.- ATHMALGOLA, DISTRICT- PATNA

... .. Respondent/s

=====

Appearance :

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

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-02-2023 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 23.11.2022 passed by learned Special Judge, SC/ST Act, Patna in Athmalgola P.S. Case No. 20 of 2022 registered under Sections 504/506 of the Indian Penal Code and sections 3(i)(r)(S) of SC/ST Act was rejected.

As per allegation in the FIR, appellant has abused the informant by taking his cast name and threatened to kill on mobile.

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 cast name of the informant in public view. No offence is made out under the provisions of the SC/ST Act against them. Appellant is languishing in judicial custody since 16.09.2022.

The appeal for bail is opposed by learned Spl. P.P. for the State and learned counsel for the informant and submitted that nine criminal antecedent is pending against the appellant.

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 23.11.2022 passed in Serial No. 19 of 2022 arising out of Athmalgola P.S. Case No. 20 of 2022 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Athmalgola P.S. Case No. 20 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 Special Judge, SC/ST Act, Patna.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

