

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2420 of 2023**

Arising Out of PS. Case No.-155 Year-2021 Thana- SONEPUR District- Saran

Sanjeet Kumar @ Sanjeep Kumar Son Of Ramekbal Ray @ Dhorai Ray
Resident Of Village - Sabalpur Chai Tola, P.S.- Sonepur, District - Saran.

... .. Appellant/s

Versus

1. The State of Bihar
2. Jagpatia Devi wife of Vijay Paswan resident of village- Sabalpur, Kachari Bazar, P.S.- Sonepur, District-Saran

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ramchandra Sahni
For the Respondent/s : Mr.Binay Krishna

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

3 25-01-2024 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 15.04.2023 passed by learned Additional Sessions Judge III-cum-SC/ST special Court, Saran at Chapra whereby the prayer for bail of the appellant in connection with Sonepur P.S. Case no. 155 of 2021 under Sections 147, 149, 341, 323, 324, 307, 379, 354(B), 504, 506/34 of the Indian Penal Code, Section 27 of Arms Act and sections 3(i)(r)(s) of SC/ST Act was rejected.



3. Allegation against the appellant and other co-accused persons is that they assaulted the son of informant. Co-accused Guddu Roy assaulted her son by means of lathi and co-accused Pramod Roy pulled the cloth of informant. Accused persons also abused the informant's son by taking his caste name.

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. There is no specific allegation against the appellant rather the allegation levelled against him is general and omnibus. He is only member of the mob. Moreover, the appellant is languishing in judicial custody since 24.03.2023. similarly situate several co-accused persons have been granted bail by co-ordinate Bench of this Court.

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 15.04.2023 is hereby set aside.

7.The appellant is directed to be enlarged on bail in connection with Sonapur P.S. Case No. 155 of 2021 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 Additional Sessions Judge III-cum-SC/ST Special Court, Saran at Chapra.

(Sunil Kumar Panwar, J)

Nirajkrs/-

U		T	
---	--	---	--

