

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3069 of 2023

Arising Out of PS. Case No.-446 Year-2022 Thana- KHUSRUPUR District- Patna

RAM PRAVESH MAHTO Son of Sita Mahto @ Sita Ram Mahto Resident of
village - Shekh Mohammadpur, P.S.- Khushrupur, District - Patna, Bihar.
... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 04-01-2024 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellant against the order dated 12.6.2023 passed by learned Exclusive Special Court (SC/ST Act), Patna whereby the prayer for bail of the appellant in connection with Khusrupur P.S. Case no. 446 of 2022 under Sections 341, 323, 307, 354(A), 379, 504, 506/34 of the Indian Penal Code and sections 3(i)(r)(s) of SC/ST Act was rejected.

3. Allegations against the appellant is of abusing and assaulting the informant and his brother-in-law. The accused persons also tried to outrage the modesty of the informant and threatened her with dire consequences.

4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to



dirty village politics. There is case and counter case between both the parties. No any specific overt-act against this appellant. He has not taken the caste name of the informant as such, no offence is made out under the provisions of the SC/ST Act against him. He has got no criminal antecedent and languishing in judicial custody since 13.3.2023.

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 12.6.2023 passed in Khusrupur P.S. Case no. 446 of 2022 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Khusrupur P.S. Case no. 446 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 Exclusive Special Court (SC/ST Act), Patna.

(Sunil Kumar Panwar, J)

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