

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3118 of 2024

Arising Out of PS. Case No.-104 Year-2020 Thana- BARH District- Patna

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SHAILENDRA SINGH S/O SRI SURESH SINGH R/O VILLAGE- MA-
DATPUR, P.S- N.T.P.S BARH, DISTT.- PATNA.

... .. Appellant/s

Versus

- 1. THE STATE OF BIHAR
- 2. SRAVAN PASWAN, ASSISTANT SUB INSPECTOR, POSTED AT BARH
POLICE STATION, P.S- BARH, DISTT.- PATNA. BIHAR

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Kumar Mritunjay
For the Respondent/s : Mr.Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-07-2024 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 14.6.2024 passed by learned Exclusive Special Court, SC/ST Act, Patna whereby the prayer for bail of the appellant in connection with Barh P.S. Case no. 104 of 2020 under Sections 147, 148, 149, 152, 189, 332, 341, 342, 232, 325, 307, 337, 353, 427, 435, 431, 504, 506 of the Indian Penal Code and sections 3(i)(r)(s), 3(2)(va) of SC/ST (POA) Act was rejected.

3. As per allegation in the FIR, informant is an A.S.I and during day patrolling, appellant along with other co-ac-



cused persons have created hindrance by blocking the road in discharging the official duty.

4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. There is no eye witness of the alleged occurrence. On the ground of video footage, with the help of chaukidar, informant identified 19 persons with their names and lodged the case. He was only a member of the mob. He has not taken the casts name of the informant in public view. He has got no criminal antecedent. No offence is made out under the provisions of the SC/ST Act against them. The appellant has no intention to disgrace the image of the informant in public view. He is simply a daily wage labour. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 30.6.2022 passed in Cr. Appeal (SJ) No. 4186 of 2021.

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 or-



der dated 14.6.2024 passed in A.B.P. No. 1717 of 2024 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Barh P.S. Case No. 104 of 2020 in the event of arrest or surrender before the court below within a period of four weeks 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 Spl. Court SC/ST Act, Patna.

(Sunil Kumar Panwar, J)

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