

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3763 of 2023

Arising Out of PS. Case No.-167 Year-2023 Thana- DAGARUA District- Purnia

Md. Sonu @ Md. Gulam Hasan S/O- Md. Safique Village- Nikhrail Bazar
Ward No-12, Ps- Dagarua Dist- Purnea

... .. Appellant/s

Versus

1. The State of Bihar
2. Ravindra Kumar @ Ravindra Rawat son of Ashok Das Village- Naya Tola
Nikhrail Ps- Dagarua Dist- Purnea

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Bijendra Kumar Singh
For the Respondent/s	:	Mrs. Usha Kumari 1
For the Informant	:	Mr. Bipin Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 01-02-2024 Heard learned counsel for the appellant, learned

Special Public Prosecutor for the State and learned counsel for
the informant.

2. The instant appeal has been filed by the appellant against the order dated 12.07.2023 passed by learned Special Judge, SC/ST Act, Purnea whereby the prayer for bail of the appellant in connection with Dagarua P.S. Case no. 167 of 2023 under Sections 143, 447, 341, 323, 324, 325, 307, 379, 354, 379, 354, 504 and 506 of the Indian Penal Code and sections 3(i) (r) (s) (w), 3(2) (va) of SC/ST Act was rejected.

3. Allegation against co-accused persons along with this petitioner is that they assaulted the informant and abused



him by taking his caste name.

4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to land dispute between the parties. 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. Nothing specific allegation of assault against the appellant. A statement has been made in para-3 of this petition that the appellant has got no criminal antecedent. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 09.11.2023 in Cr. APP(SJ) No. 4031 of 2023. Moreover, the appellant is languishing in judicial custody since 10.06.2023.

5. The appeal for bail is opposed by learned Spl. P.P. for the State and learned counsel for the informant.

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 12.07.2023 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Dagarua P.S. Case No. 167 of 2023 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, Purnea.

(Sunil Kumar Panwar, J)

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