

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4259 of 2023

Arising Out of PS. Case No.-273 Year-2021 Thana- KUNDWACHAINPUR District- East
Champaran

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Ram Babu Das Son of Mauje Das Resident of Musahariya, P.S.-Kundwa
Chainpur, District-East Champaran.

... .. Appellant/s

Versus

1. The State of Bihar
2. Kaushlya Devi W/o Late Lal Babu Ram Resident of Village-Bairiya, P.S.-
Kundwa Chainpur, District- East Champaran.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Ms. Alka Singh, Adv.
For the Respondent/s	:	Mr. Binay Krishna, Spl. P.P.
		Mr. Yogesh Chandra Verma, Sr. Adv.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 09-05-2024 Heard the parties.

2. This appeal has been filed against the order dated 29.05.2023 passed by Special Judge, SC/ST Act, East Champaran, Motihari in connection with A.B.P. No. 607 of 2023 arising out of Kundwa Chainpur P.S. Case No. 273 of 2021, registered under Sections 387, 504, 506, 34 of the Indian Penal Code and Sections 3(i)(a)(r)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellant has been rejected.

3. As per F.I.R., the appellant is alleged to be only order giver.

4. Learned counsel for the appellant submits that appellant is innocent and has falsely been implicated in the present case due to local politics. There is general and omnibus allegation



against him. Further submission is that there is no specific allegation against the appellant. It is not the case of the informant that the alleged incident took place within public view, as such, no offence under SC/ST Act is made out against the appellant. Appellant is a man of clean antecedent.

5. Mr. Yogesh Chandra Verma, learned Senior Advocate appearing on behalf of the respondent no. 2 vehemently opposed the prayer for bail.

6. Considering the aforesaid facts, let the appellant, as named above, in the event of arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Special Judge, SC/ST Act, East Champaran, Motihari in connection with A.B.P. No. 607 of 2023 arising out of Kundwa Chainpur P.S. Case No. 273 of 2021.

7. Accordingly, the impugned order dated 29.05.2023 is set aside and this criminal appeal is allowed.

(Prabhat Kumar Singh, J)

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