

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4681 of 2023

Arising Out of PS. Case No.-45 Year-2023 Thana- SC/ST District- Bhojpur

UJJAWAL MOHAN SINHA SON OF LATE SUDHIR KUMAR SINHA
RESIDENT OF VILLAGE- CHARKHAMBHA GALI MUKHARJI HATA,
POLICE STATION- ARA NAGAR, DISTRICT- BHOJPUR.

... .. APPELLANT/S

VERSUS

1. THE STATE OF BIHAR
2. DHARAMVEER KUMAR SON OF SHRADHANAND RAM RESIDENT
OF VILLAGE- DHARM PURA, P.S.- ARA (MUFFASIL), DISTRICT-
BHOJPUR

... .. RESPONDENT/S

Appearance :

For the Appellant/s	:	Mr. Anil Kumar , Advocate
For the Respondent/s	:	Mr. Binay Krishna, APP
For OP 2	:	Amit Kumar Mallick, Advocate
		Aashi Wats , Advocate
		Suraj Kumar Tiwari , Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 09-05-2024 Heard learned counsel for the parties.

2. This appeal has been filed for setting aside order
dated 29.08.2023 , passed in a case registered for the offence
punishable under sections 504 and 506 of the Indian Penal
Code and sections 3(i)(r)(s)(w) / 3 (2) (va) of the Scheduled



Castes and Scheduled Tribes (POA) Act, whereby the prayer for anticipatory bail of the appellant has been rejected.

3. As per the prosecution case , on the alleged date and time of occurrence , this appellant went to the shop of the and started threatening to kill him and also abused the informant by caste name and demanded Rs. 2 lacs as ranggdari.

4. It is submitted on behalf of the appellant that he has falsely been implicated in this case. As a matter of fact, informant was working as staff of appellant's pizza shop and has taken Rs. 20 thousand friendly loan for treatment of his wife and when appellant asked to return the alleged amount, this false and concocted case has been lodged against him. It is not the case of the prosecution that any member of public was present at the time of incident as such, no case under SC/ST Act is made out. Appellant claims clean antecedent.

5. Counsel for the parties oppose the prayer for bail.

6. Considering the aforesaid facts, this appeal is allowed with respect to this petitioner only and the impugned order is set aside. Let the appellant, named above, in the event of arrest/surrender within a period of eight weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each



with two sureties of the like amount each to the satisfaction of
the learned Additional District Judge - 1st Bhojpur at Ara in
connection with SC / ST Police Station Case No. 45 of 2023
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(Prabhat Kumar Singh, J)

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