

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4782 of 2023

Arising Out of PS. Case No.-57 Year-2016 Thana- BAHADURPUR District- Patna

Hare Ram Sharma @ Ashutosh Kumar Son Of Devendra Sharma Res. Of
Vill.-Bakhtar, Ps-Mehandiya, Dist.-Arwal

... .. Appellant/s

Versus

1. The State of Bihar
2. Paroo Devi Ramvilash Sahani Res. Of Vill-Bahadurpur Jhoparpatti, Ps-Bahadurpur, Dist.-Patna

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shashank Shekhar , APP
For the Respondent/s : Mr. Binay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 16-05-2024 Heard learned counsel for the parties.

2. This appeal has been filed for setting aside order dated 20.09.2023, passed in a case registered for the offence punishable under sections 147, 148, 149, 151, 323, 353, 436, 109, 114, 120B, 354, 354(A), 354(B), and 34 and other allied sections of the Indian Penal Code and sections 3(i)(x) of the Scheduled Castes and Scheduled Tribes Act, whereby the prayer for anticipatory bail of the appellant has been rejected.

3. As per F.I.R, this appellant along with other co-accused persons assaulted the informant and other female mebers by means of *lathi* and abused them by caste name .

4. It is submitted by learned counsel for appellant



submits that the appellant is innocent has falsely been implicated in this case. Allegation is general and omnibus. He further submits that no offence under SC/ST Act is made out against the appellant for the reason that the appellant also belongs to the SC/ST category. Similarly situated co-accused person has already been granted bail by this Court vide order dated 02.05.2023 in Cr. APP (SJ) No. 5693 of 2023 . 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 appellant 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 Exclusive Special Judge, SC/St, Patna, in connection with Bahadurpur Police Station Case No. 57 of 2016.

(Prabhat Kumar Singh, J)

Koushik/Ankit-

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