

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5650 of 2023**

Arising Out of PS. Case No.-59 Year-2023 Thana- SC/ST District- Lakhisarai

Kartik Ram son of Anuj Ram Village- Mahisona Ps- Tatarhat Dist- lakhisarai

... .. Appellant/s

Versus

1. The State of Bihar
2. Shrawan Rajak son of Chandradeo Rajak Village- Mahisona Ps- Tatarhat Dist- Lakhisarai

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Sanjeev Kumar
For the Respondent/s	:	Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-02-2024 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellant against the order dated 22.11.2023 passed by learned Additional District and Sessions Judge-I-cum-Special Judge (SC/ST Act), Lakhisarai whereby the prayer for bail of the appellant in connection with Lakhisarai SC/ST P.S. Case no. 59 of 2023 under Sections 341, 323, 308, 427, 504, 506 and 34 of the Indian Penal Code and sections 3(1)(r)(s)/3(2)(va) of SC/ST Act was rejected.

3. Allegation against the appellant is that he assaulted the informant's father on his head by means of iron



rod due to which he sustained injuries and the reason behind this as alleged occurrence is said to be land dispute.

4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due land dispute. 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. From perusal of the injury report of the injured which is on Annexure-2 of this petition, the nature of the injury is simple. A statement has been made in para-3 of this petition that the appellant has got no criminal antecedent. Moreover, he is languishing in judicial custody since 27.10.2023.

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 order dated 22.11.2023 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Lakhisarai SC/ST P.S. Case No. 59 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 Additional District and Sessions Judge I-cum-Special Judge (SC/ST Act), Lakhisarai.

(Sunil Kumar Panwar, J)

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