

Arising Out of PS. Case No.-178 Year-2023 Thana- SALIMPUR District- Patna

Arising Out of PS. Case No.-178 Year-2023 Thana- SALIMPUR District- Patna

... .. Appellant/s

Versus

- ... Respondent/s

For the Appellant/s	:	Mr. Prabhat Kumar Singh, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. PP
For informant	:	Mr. Arvind Kumar Singh, Advocate
		Mr. Mukul Jee, Advocate

5 04-09-2025 Heard learned counsel for the parties.

2. This appeal has been filed for setting aside order dated 25.11.2023 passed in a case registered for the offence punishable under sections 341, 323, 427, 504, 34 of Indian Penal Code and section 3 (i), (r), (s) (3) 2 (va) of SC/ST Act and 27 of Arms Act, whereby prayer for bail of the appellant has been rejected.

3 . The prosecution case , in brief, is that on 2.8.2023, at 2:30 P.M. when informant was going towards his field, in the meantime, all the F.I.R. named accused persons including this appellant along with 4 to 5 unknown persons surrounded informant and abused him with caste name and co-accused



Vikash Kumar assaulted the informant with pistol and upon protest, co-accused *Vikash Kumar* fired at him but somehow informant managed to flee away from there. It is further alleged that on 05.08.2023, this appellant along with other co-accused persons caught the collar of informant and when villagers came there then accused persons fled away from spot.

4. It is submitted that the appellant is innocent and has committed no offence as alleged. Allegation is general and omnibus against this appellant. No specific allegation of any overt act is alleged against this appellant. It is not the case of the informant that any member of the public was present at the time of the incident and as such, no offense under the SC/ST Act is made out against the appellant. Appellant claims clean antecedent.

5 . Learned special Public Prosecutor for the State as well as learned counsel for the respondent No. 2 opposed the bail appeal.

6. Considering the aforesaid facts, this appeal is allowed 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) with two sureties of the like amount
each to the satisfaction of the learned Exclusive Special Court
(SC/ST Act), Patna in connection with Salimpur Police Station
Case No. 178 of 2023 .

(Prabhat Kumar Singh, J)

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