

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4414 of 2021**

Arising Out of PS. Case No.-48 Year-2021 Thana- MALI District- Aurangabad

=====

SATENDRA MISTRI @ SATENDRA SHARMA Son of Vijay Mistri
Resident of Village- ghuthiya, P.S.- Mali, District- Aurangabad.

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. Munna Kumar Son of Ganesh Ram R/o vill- Ghuthiya, P.S.-Mali Dist
Aurangabad

... .. Respondent/s

=====

Appearance :

For the Appellant/s	:	Mr. Arvind Kumar , Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl. PP
For the respondent No. 2 :		Mr. Leelawati Kumari , Advocate
		Mr. Aman Vishal , APP

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

8 03-07-2025 Heard learned counsel for the parties.

2. This appeal has been filed for setting aside order dated 29.07.2021 passed in a case registered for the offence punishable under sections 341, 323, 324, 307, 379, 504, 506 and 34 of the Indian Penal Code and sections 3(i)(r) (s) and 3(2)(v) (a) of the Scheduled Castes and Scheduled Tribes Act, whereby the prayer for anticipatory bail of the appellant has been rejected.



3 . As per the prosecution case , informant namely , Munna Kumar alleged that on 29.05.2021 at about 6:30 pm , while informant was returning on cycle , in the meanwhile , these appellants including other co-accused persons abused informant by caste name and assaulted him with knife .

4. It is submitted that this appellant is innocent and has committed no offence as alleged. It is further submitted that due to political rivalry in between the parties, a simple quarrel took place between them. Allegation is general and omnibus against this appellant. Injury allegedly caused by appellant is simple in nature . It is not the case of informant that any member of public was present at the time of incident, as such, no case under SC/ST Act is made out.

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

6. Considering the aforesaid facts, nature of injury and other circumstances of the case , 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 1st Additional District & Sessions
Judge – cum – special Judge sc / st Aurangabad in connection
with Mali Police Station Case No. 48 of 2021 .

(Prabhat Kumar Singh, J)

Koushik/-

U		T	
---	--	---	--

