

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4466 of 2024

Arising Out of PS. Case No.-24 Year-2024 Thana- BHAGWANPUR District- Vaishali

Nitin Kumar Son of Rajendra Sah Resident of Village- Ratanpura, PS-
Bhagwanpur, Dist.- Vaishali.

... .. Appellant/s

Versus

- 1 . The State of Bihar
2. Ashok Das Son of Nagendra Das Resident of Village- Ratanpura, PS-
Bhagwanpur, Dist.- Vaishali.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Santosh Kumar , Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl. PP
For respondent No. 2	:	Mr. Santosh Kumar , Advocate
		Mr. Rajeev Kumar Saxena, Advocate
		Mr. Mrityunjay Kumar , Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 04-04-2025 Heard learned counsel for the appellant, learned

Spl. Public Prosecutor appearing on behalf of the State and

learned counsel for the Respondent No. 2.

2. This appeal has been preferred on behalf of the

appellant under Section 14-A(2) of the Scheduled Castes and

Scheduled Tribes (Prevention of Atrocities) Act for setting aside

the order dated 13.08.2024 , passed by the learned Additional

district and sessions Judge Vaishali at Hajipur in bhagwanpur

P.S. Case No. 24 of 2024 , registered for the offences

punishable under Sections 307, 341, 323 , 379, 447, 448 , 504,

506 and 34 of the Indian Penal Code , & Section 3(i)(r)(s),



3(2)v(a) of SC and ST Act whereby the prayer for bail of the appellant has been rejected.

3 . As per the prosecution case , on the alleged date and time of occurrence , this appellant is alleged to have abused informant by caste name and stabbed him with knife .

4. Learned counsel for the appellant submits that appellant is quite innocent and has falsely been implicated in this case . There is 7 days delay in lodging the F.I.R., for which there is no explanation . As a matter of fact, informant is habitual of consuming drugs and also involved in sale and purchase of narcotics drugs and taking advantage of the situation this false and concocted case has been lodged against this appellant. Appellant claims clean antecedent. Chargesheet has already been submitted. Appellant is in custody since 14.07.2024 .

5 . Learned Spl. Public Prosecutor for the State and learned counsel for the respondent no. 2 oppose the bail application .

6. Considering the aforesaid facts, clean antecedent of appellant and other circumstances of the case , let the appellant, as named above be released 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 learned Additional district and sessions Judge Vaishali at Hajipur in bhagwanpur P.S. Case No. 24 of 2024 .

7. Accordingly, the impugned order dated 13.08.2024 is set aside and this criminal appeal is allowed.

(Prabhat Kumar Singh, J)

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