

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5132 of 2024

Arising Out of PS. Case No.-167 Year-2024 Thana- SASARAM NAGAR District- Rohtas

Manu Singh @ Satyam Kumar Son of Om Prakash Singh Resident of
Mohalla- New Area, Bauliya, PS- Sasaram (T) District- Rohtas

... .. Appellant/s

Versus

1. The State of Bihar
2. Hari Ram Son of Late Sheojanam Ram Resident of Mohalla- New Area,
Bauliya Road, Jagdeo Nagar, Ward no. 17, PS- Sasaram (T) District- Rohtas
... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Siddharth Harsh, Advocate
For the Respondent/s	:	Mr.Sadanand Paswan, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 10-01-2025 Heard learned counsel for the appellant and the learned
Special Public Prosecutor for the State.

2. In view of the grounds taken in the I.A. No.01 of
2024 the limitation of 68 days in filing the appeal is condoned.

3. The appellant has challenged the order dated
24.05.2024 passed by the learned Additional District & Sessions
Judge-17-cum-Special Court, SC/ST, Rohtas at Sasaram in
connection with Sasaram (T) P.S. Case No.167 of 2024,
instituted for the offences under Sections 341, 323, 404, 34 of
the Indian Penal Code and Section 3(i)(s), 3(i)(r) of the SC &
ST Act, whereby their prayer for grant of anticipatory bail has
been rejected.

4. Learned counsel for the appellant submits that



appellant is person with clean antecedent and has been falsely implicated in the instant case by the informant with an allegation that Golu Singh assaulted the informant with *lathi* causing injury on finger, while Amlesh and Golu assaulted the son of the informant by bat on account of dispute.

5. The learned counsel for the appellant submits that appellant has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the F.I.R. does not even remotely suggest that the occurrence was witnessed by any independent witnesses. It is further submitted that the allegation of assault is ornamental in nature.

6. It is next submitted that respondent no.2 is a retired police inspector and is in habit of misusing the provision of the SC/ST Act and has instituted Sasaram Town P.S. Case No. 427/2023 and Sasaram Town P.S. Case No.418/2022 against other persons. It is further submitted that from perusal of the allegation as alleged in the it would manifest that the allegation against this appellant is general and omnibus in nature.

7. The learned Special P.P. opposes the bail application.

8. Regard being had to the aforesaid submissions, the



order dated 24.05.2024 is set aside.

9. The appeal stands allowed.

10. The appellant above named, in the event of his arrest or surrender before the learned court below within a period of six weeks, is directed to be released on bail on his furnishing bail bonds in the sum of Rs.5000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-17-cum-Special Court, SC/ST, Rohtas at Sasaram in connection with Sasaram (T) P.S. Case No.167 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Satyavrat Verma, J)

Prakash Narayan

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