

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.5218 of 2024**

Arising Out of PS. Case No.-143 Year-2021 Thana- SIWAIPATTI District- Muzaffarpur

Chandan Kumar S/O Surendra Sahani R/O Village- Dhapahar, Police Station-  
Siwaipatti, District- Muzaffarpur.

... .. Appellant/s

Versus

- 1 . The State of Bihar
2. Tej Narayan Ram, A.S.I Siwaipatti Police Station, Muzaffarpur. Bihar

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr. Sanjay Kumar S. K, Advocate  
For the Respondent/s : Mr. Binay Krishna, Spl. PP

**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 . Despite  
filing vakalatnama , nobody appears on behalf of 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 08.10.2024 , passed by the learned special  
Judge sC / st (POA) in siwaipatti P.S. Case No. 143 of 2021 ,  
registered for the offences punishable under Sections 147, 148 ,  
149, 341, 342, 343 , 427, 504, 506, 385/34 and other allied  
sections of the Indian Penal Code and sections 3(i)(r)(s)(w)  
of the Scheduled Castes and Scheduled Tribes (POA) 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 , informant received information that there is dispute between candidate of two group of panchayat, upon such information , informant along with other police personnel reached at the place of occurrence , in the meantime , this appellant along with other co-accused persons abused the informant by caste name and attacked the police force and also assaulted them as a result of which some of the police personnel sustained injury .

4. Learned counsel for the appellant submits that appellant is quite innocent and has committed no offence as alleged. Allegation of abuse and assault is general and omnibus. No specific overt act is alleged against this appellant. Chargesheet has already been submitted. Appellant is in custody since 22.09.2024 .

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 special Judge sc /st (POA) Muzzafarpur in siwaipatti P.S. Case No. 143 of 2021 .

7. Accordingly, the impugned order dated 08.10.2024 is set aside and this criminal appeal is allowed.

(Prabhat Kumar Singh, J)

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