

Arising Out of PS. Case No.-174 Year-2024 Thana- GORAUL District- Vaishali

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... .. Appellant/s

Versus

- Respondent/s

Appearance :

For the Appellant/s : Mr. Mritunjay Kumar , Advocate

For the Respondent/s : Mr. Sadanand Paswan, Spl. PP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 11-07-2025 Heard learned counsel for the appellant, the State
 . Despite valid service of notice , nobody appears on behalf of
 respondent No. 2.

2. This appeal has been filed for setting aside order dated 08.10.2024 passed in a case registered for the offence punishable under sections 147, 148 , 149, 341 , 342, 323 , 324, 326, 332, 333 , 353 , 354, 224, 225 , 307, 504 and 506 of the IPC and sections 3 (1) (r) (s), 3 (2) (va) , 3 (2) (v) of the Scheduled Castes and Scheduled Tribes Act, whereby prayer for regular bail of the appellant has been rejected.

3 . As per the prosecution case , informant namely



Sonu Kumar (A S I) alleged that on 08.05.2024 at 1:10 PM, while arresting co-accused Kanhai Kumar in Kathara P S Case No. 398 of 2023 , a mob of 100 persons incited by this appellant, attacked police party . It is further alleged that this appellant Ram Pravesh singh bit off part of the ear of informant and mob got freed this co-accused Kanhai Kumar.

4. It is submitted that the appellant is innocent and has committed no offence as alleged. Allegation is general and omnibus in nature . Appellant is only alleged to be member of mob. It is not the case of the informant that any member of the public was present at the place of the incident; as such, no offense under the SC/ST Act is made out against the appellant, and he has been in custody since 13.11.2024 .

5 . Learned special Public Prosecutor for the State opposed the bail appeal.

6. Considering the aforesaid facts, this appeal is allowed and the impugned order is set aside .

7. Let the appellant, 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 Court of Exclusive special Judge SC / ST Vaishali at Hajipur in connection with Goraul Police Station Case No.



174 of 2024 .

(Prabhat Kumar Singh, J)

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