

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2244 of 2019**

Arising Out of PS. Case No.-298 Year-2018 Thana- FATEHPUR District- Gaya

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Pintu Yadav @ Pintu Kumar, Son of Munni Lal Yadav, Resident of Village-
Mocharak, Post office- Naudiha, Jhurang, Police Station- Fatehpur, District-
Gaya.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Ujjal Kumar Singh, Advocate
For the Respondent/s : Mr.Sadanand Paswan, APP

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER**

2 30-05-2019 Heard learned counsel for the appellant and learned
counsel appearing on behalf of the State.

Appellant is aggrieved by the order dated 03.05.2019
passed by the learned Exclusive Special Judge, SC/ST Act,
Gaya, in connection with Fatehpur P.S. Case No.298 of 2018
whereby the prayer for regular bail was rejected.

The appellant is seeking bail in connection with
Fatehpur P.S. Case No.298 of 2018 for the offences under
Sections 341, 323, 324, 308, 504, 506/34 of the Indian Penal
Code and Sections 3(I) (r) (s) of SC/ST Act.

Learned counsel for the appellant would submit that
appellant has no criminal antecedent. The allegation against this
appellant is that he has assaulted the informant. Learned counsel



further submits that the allegation of assault is general and omnibus in nature. The appellant is neighbour of the informant. Learned counsel further submits that appellant is in custody since 10.04.2019.

Considering the fact that appellant has no criminal antecedent and the allegation of assault is general and omnibus in nature, the Court is inclined to grant bail to the appellant. Let the appellant, named above, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST Act, Gaya, in connection with Fatehpur P.S. Case No.298 of 2018.

Accordingly, the impugned order dated 03.05.2019 passed by the learned Exclusive Special Judge, SC/ST Act, Gaya,, is set aside and the appeal is allowed.

(Anil Kumar Upadhyay, J)

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