

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3552 of 2019

Arising Out of PS. Case No.-31 Year-2003 Thana- TEKARI District- Gaya

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GOPAL SHARMA Son of Ram Ratan Sharma Resident of Village- Sahwara,
Police Station- Tekari, District- Gaya.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Sanjay Kumar

For the Respondent/s : Mr.Sadanand Paswan

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 30-09-2019 Heard learned counsel for the appellant and learned
Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the SC/ST
Act against the refusal of prayer for anticipatory bail vide order
dated 18.06.2019 passed by learned Special Judge, SC/ST,
Gaya in Tekari (Mau O.P.) P.S. Case No. 31 of 2003 registered
under Sections 448, 341, 342, 323, 352 and 307/34 of the Indian
Penal Code and Section 3/5 of the SC/ST Act.

Nine named accused persons including the appellant
assaulted the son of the informant namely Deobali Paswan and



his villager Girdhari Yadav by tying them in the courtyard of Arun Singh blaming them for committing theft of their paddy and also strewn the household articles of the informant.

It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. He has been falsely implicated in the case due to dirty village politics. The allegation levelled against the appellant is not specific rather general and omnibus in nature. All the injuries sustained by the victims are on non-vital part and are simple in nature. Informant has entered into compromise with the appellant. Appellant has no criminal antecedent.

Learned Spl. PP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named appellant, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, SC/ST, Gaya in connection with Tekari P.S. Case No. 31 of 2003, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.



Accordingly, the impugned order is set aside and
appeal is allowed.

(Prakash Chandra Jaiswal, J)

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