

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3501 of 2021**

Arising Out of PS. Case No.-95 Year-2019 Thana- SC/ST District- Rohtas

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DABLU YADAV @ SRI BHAGWAN YADAV S/o- KARO YADAV @
DEVRAJ SINGH Resident of Village- Baradhi Kala Sarna Math, P.S.-
Dinara, District- Rohtas.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Arun Kumar Gupta

For the Respondent/s : Mr. Binay Krishna Spl. P.P.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 07-09-2021 Heard learned counsel for the appellant and the
learned Special P. P.

The present appeal has been filed against order dated
23.06.2021 passed by learned Additional Sessions Judge-I-cum-
Special Judge, SC/ ST Act, Rohtas at Sasaram in Case No.
262/2019, arising out of Dehri PS Case No. 95/2019, registered
for the offence punishable under Sections 379, 436 and some
other minor Sections of the Indian Penal Code, u/s 27 of Arms
Act and u/s 3(i)(r) (s) of SC/ST Act, whereby the prayer for bail
of the appellant has been rejected.

As per the prosecution case, this appellant along with
other FIR named accused persons abused the informant and his
family members and forcibly took away paddy of informant and



others on tractor. They also set the house of informant and Rajesh Mushar on fire. On protest made by the informant and Rajesh Mushar, the accused persons made firing and also threatened the informant and others. While carrying the paddy the accused persons entered into the house of Rajesh Mushar and after breaking the lock of box took away ornaments worth Rs. 15,000/- kept in the box and also snatched one mobile.

It is submitted that the appellant has falsely been implicated in this case in retaliation of Dinara P.S. case No. 333/2019 filed by the uncle of informant against brother of informant and his other family members for offence u/s 379 of the IPC. There is general and omnibus allegation of abuse and no specific overt act has been alleged against this appellant. The appellant has got clean antecedent and in in custody since 22.05.2021.

Considering the nature of allegation and clean antecedent of the appellant, the impugned order dated 23.06.2021 is hereby set aside and this appeal is allowed.

Let the appellant, above named, 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 learned Additional Sessions Judge-I-cum- Special Judge, SC/ST Act,



Rohtas at Sasaram in connection with Case No. 262/2019,
arising out of Dehri PS Case No.95/2019.

(Prabhat Kumar Singh, J)

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