

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1720 of 2022

Arising Out of PS. Case No.-127 Year-2020 Thana- MAGADH UNIVERSITY District- Gaya

1. CHANDRADEEP YADAV Son of Yodhi Yadav Resident of Village - Chotaki Babhani, P.S.- Magadh University, District - Gaya.
2. Bela Yadav @ Sanish Kumar Son of Laxhman Yadav Resident of Village - Chotaki Babhani, P.S.- Magadh University, District - Gaya.
3. Manish Kumar Son of Laxhman Yadav Resident of Village - Chotaki Babhani, P.S.- Magadh University, District - Gaya.
4. Gulshan Kumar Yadav @ Gulshan Yadav Son of Gora Yadav Resident of Village - Chotaki Babhani, P.S.- Magadh University, District - Gaya.
5. Bablu Kumar Son of Naresh Yadav Resident of Village - Chotaki Babhani, P.S.- Magadh University, District - Gaya.
6. Yugal Yadav Son of Sukhdeo Yadav Resident of Village - Chotaki Babhani, P.S.- Magadh University, District - Gaya.
7. Tuntun Kumar @ Tuntun Yadav Son of Shivnandan Yadav Resident of Village - Chotaki Babhani, P.S.- Magadh University, District - Gaya.
8. Raj Kumar Yadav @ Raj Kumar Son of Shivnandan Yadav Resident of Village - Chotaki Babhani, P.S.- Magadh University, District - Gaya.
9. Jagmohan Yadav Son of Yodhi Yadav Resident of Village - Chotaki Babhani, P.S.- Magadh University, District - Gaya.
10. Indradeo Yadav Son of Yodhi Yadav Resident of Village - Chotaki Babhani, P.S.- Magadh University, District - Gaya.
11. Ajay Kumar @ Ajay Yadav Son of Naresh Yadav Resident of Village - Chotaki Babhani, P.S.- Magadh University, District - Gaya.
12. Vicky Yadav @ Vicky Kumar Son of Naresh Yadav Resident of Village - Chotaki Babhani, P.S.- Magadh University, District - Gaya.
13. Rajesh Yadav @ Rajesh Kumar Son of Lalo Yadav Resident of Village - Chotaki Babhani, P.S.- Magadh University, District - Gaya.
14. Laxhman Yadav Son of Sukhdeo Yadav Resident of Village - Chotaki Babhani, P.S.- Magadh University, District - Gaya.
15. Bhali Yadav @ Bhalo Yadav @ Karan Yadav Son of Yugal Yadav Resident of Village - Chotaki Babhani, P.S.- Magadh University, District - Gaya.

... .. Appellant/s

Versus

1. The State of Bihar
2. Krishna Paswan Son of Late Moti Paswan Resident of Village - Chotaki Babhani, P.S.- Magadh University, District - Gaya.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Gajendra Kumar Singh



For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-07-2022 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

The instant appeal has been filed by the appellants against the order dated 05.03.2022 passed by learned Exclusive Special Judge SC/ST, Gaya in ABP No. 31 of 2022 whereby the prayer for bail of the appellants in connection with Magadh University P.S. Case no. 127 of 2020 under Section 147, 149, 323, 504, 506, 379 of the Indian Penal Code and sections 3(i)(r), 3(2)(va) of SC/ST Act was rejected.

Allegations against the appellants are of abusing and assaulting to the informant by lathi and fist while the informant went to the house of the appellants for asking as to why they had taken away his motor pump at night.

It is submitted by learned counsel for the appellants that appellants have been falsely implicated in this case due to dirty village politics. They have got no criminal antecedent. No offence is made out under the provisions of the SC/ST Act against them. The appellants have no intention to disgrace the image of the informant by taking his caste name in public view. General and omnibus allegations have been levelled against the



appellants.

The appeal for bail is opposed by learned Spl. P.P. for the State.

Having heard learned counsel for the parties and taking into consideration that there is general and omnibus allegation against the appellants, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 05.03.2022 passed in A.B.P. No 31 of 2022 is hereby set aside.

The appellants are directed to be enlarged on bail in connection with Magadh University P.S. Case No. 127 of 2020 in the event of arrest or surrender before the court below within a period of four weeks on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge SC/ST, Gaya.

(Sunil Kumar Panwar, J)

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