

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1770 of 2022

Arising Out of PS. Case No.-2 Year-2022 Thana- PALANWA District- East Champaran

HAJARI TIWARI S/o Late Ramprit Tiwari Resident of Vill.- Uchhidih, P.S. -
Palanwa, Dist. - East Champaran.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sangeet Deokuliar
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

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

The instant appeal has been filed by the appellant against the order dated 11.04.2022 passed by learned Special Judge(SC/ST), East Champaran, Motihari in ABP No. 978 of 2022 whereby the prayer for bail of the appellant in connection with Palanwa P.S. Case no. 02 of 2022 under Section 341, 323, 379, 354, 504, 506/34 of the Indian Penal Code and sections 3(i) (r) of SC/ST Act was rejected.

Allegations against the appellants is of abusing, assaulting by fists and slaps while informant was constructing his house. When his wife came there for his rescue, she was also beaten up by them. Co-accused Pramod Pandey took Rs. One lac.



It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to dirty village politics. He is a 75 years old rtd. Govt. teacher. He has not taken the cast name of the informant in public view. He has got no criminal antecedent. No offence is made out under the provisions of the SC/ST Act against them. The appellant has no intention to disgrace the image of the informant in public view. General and omnibus allegations have been levelled against him.

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 appellant, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 11.04.2022 passed in A.B.P. No 978 of 2022 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Palanwa P.S. Case No. 02 of 2022 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) with two sureties of the like amount each to the



satisfaction of the learned Special Judge(SC/ST) East
Champaran, Motihari.

(Sunil Kumar Panwar, J)

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