

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2172 of 2022

Arising Out of PS. Case No.-430 Year-2019 Thana- BIDUPUR District- Vaishali

-
1. GANGA PAL SON OF LATE GHAMANDI PAL Resident of village- Mustafapur, P.S. - Bidupur, District- Vaishali at Hajipur (Bihar) .
 2. SURENDRA PAL SON OF LATE GHAMANDI PAL. Resident of village- Mustafapur, P.S. - Bidupur, District- vaishali at Hajipur (Bihar) .
 3. MUKESH KUMAR SON OF GANGA PAL Resident of village- Mustafapur, P.S.- Bidupur, District- Vaishali at Hajipur (Bihar) .

... .. Appellant/s

Versus

1. The State of Bihar
2. HIROMANI DEVI WIFE OF SHYAM BABU BHAGAT Resident of village- Mustafapur, P.S.- Bidupur, District- Vaishali.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rakesh Kumar

For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-08-2022 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 25.05.2022 passed by learned 1st Additional Sessions Judge- Cum- Special SC/ST, Vaishali At Hajipur in ABP No. 1474 of 2022 whereby the prayer for bail of the appellants in connection with Bidupur P.S. Case no. 430 of 2019 under Section 341, 323, 447, 34 of the Indian Penal Code and sections 3(i)(r) of SC/ST Act was rejected.

As per allegation in the FIR, while the informant was



sitting at her door, petitioners came there and started to abuse and assault her by iron rod.

It is submitted by learned counsel for the appellants that appellants have been falsely implicated in this case due to dirty village politics and due to inimical terms between them. There is admitted land dispute between the parties. As per injury report, injuries received by the informant are simple in nature caused by hard and blunt substance. 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 her caste name in public view.

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 25.05.2022 passed in A.B.P. No 1474 of 2022 is hereby set aside.

The appellants are directed to be enlarged on bail in connection with Bidupur P.S. Case No. 430 of 2019 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 1st Additional Sessions Judge- Cum- Special Judge SC/ST, Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

