

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4210 of 2021

Arising Out of PS. Case No.-48 Year-2021 Thana- RANIGANJ District- Araria

1. SANJAY SOREN Son of Late Jorawa Soren Resident of Village - Mahadevpur Jorawa Tola Ward No. 08, Police Station - Raniganj, District - Araria.
2. Jagadish Soren Son of Late Jorawa Soren Resident of Village - Mahadevpur Jorawa Tola Ward No. 08, Police Station - Raniganj, District - Araria.
3. Dilip Soren Son of Late Jorawa Soren Resident of Village - Mahadevpur Jorawa Tola Ward No. 08, Police Station - Raniganj, District - Araria.
4. Kishan Mandal Son of Khakhau Mandal Resident of Village - Mahadevpur Jorawa Tola Ward No. 08, Police Station - Raniganj, District - Araria.
5. Raju Mandal Son of Kishan Mandal Resident of Village - Mahadevpur Jorawa Tola Ward No. 08, Police Station - Raniganj, District - Araria.
6. Dil Khush Mandal @ Dil Khush Kumar Mandal Son of Raju Mandal Resident of Village - Mahadevpur Jorawa Tola Ward No. 08, Police Station - Raniganj, District - Araria.
7. Yogendra Yadav Son of Late Gonal Yadav Resident of Village - Mahadevpur Jorawa Tola Ward No. 08, Police Station - Raniganj, District - Araria.
8. Pramod Yadav Son of Yogendra Yadav Resident of Village - Mahadevpur Jorawa Tola Ward No. 08, Police Station - Raniganj, District - Araria.
9. Dharmendra Yadav Son of Yogendra Yadav Resident of Village - Mahadevpur Jorawa Tola Ward No. 08, Police Station - Raniganj, District - Araria.
10. Ramesh Kahar Son of Ari Kahar Resident of Village - Mahadevpur Jorawa Tola Ward No. 08, Police Station - Raniganj, District - Araria.
11. Bhuto Mandal Son of Kishan Mandal Resident of Village - Mahadevpur Jorawa Tola Ward No. 08, Police Station - Raniganj, District - Araria.
12. Boku Mandal Son of Kishan Mandal Resident of Village - Mahadevpur Jorawa Tola Ward No. 08, Police Station - Raniganj, District - Araria.
13. Mallik Baski Son of Paltan Baski Resident of Village - Mahadevpur Jorawa Tola Ward No. 08, Police Station - Raniganj, District - Araria.
14. Mota Baski Son of Paltan Baski Resident of Village - Mahadevpur Jorawa Tola Ward No. 08, Police Station - Raniganj, District - Araria.
15. Mangal Tudu Son of Nand Lal Tudu Resident of Village - Mahadevpur Jorawa Tola Ward No. 08, Police Station - Raniganj, District - Araria.
16. Babulal Tudu Son of Nand Lal Tudu Resident of Village - Mahadevpur Jorawa Tola Ward No. 08, Police Station - Raniganj, District - Araria.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s



Appearance :

For the Appellant/s : Mr. Mukesh Kumar Rana
For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-07-2022 At the outset, it is submitted by learned counsel for the appellants that during pendency of this appeal, the appellant nos. 2, 5, 6, 7, 8, 10, 11, 13, 14 and 15 have been arrested and, as such, he seeks permission to withdraw this application against them.

Permission is accorded.

This appeal is dismissed as withdrawn against them.

Heard learned counsel for the appellants and learned Special Public Prosecutor for the State.

So far as rest of the appellants are concerned, the instant appeal has been filed by the appellants against the order dated 25.08.2021 passed by learned 1st Additional Sessions Judge-cum Special Judge, Araria in ABP No. 1506 of 2021 whereby the prayer for bail of the appellants in connection with Raniganj P.S. Case no. 48 of 2021 under Sections 341, 324, 307, 379/34 of the Indian Penal Code and sections 3 (1) (i) (x) of the SC/ST Act was rejected.

As per allegation in the FIR, appellants have assaulted to Ganga Tuddu, son of the informant by tengari and thrown



him in water and also snatched Rs. 22,000/- from his pocket and a mobile phone.

It is submitted by learned counsel for the appellants that appellants have been falsely implicated in this case due to previous land dispute and dirty village politics. They have not taken the cast name of the informant in public view. General and omnibus allegation allegation has been levelled against the appellants. As per injury report, victim has received lacerated wound to be simple in nature. 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 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 25.08.2021 passed in A.B.P. No. 1506 of 2021 is hereby set aside.

The appellant nos. 1, 3, 4, 9, 12 and 16 are directed to be enlarged on bail in connection with Raniganj P.S. Case No.



48 of 2021 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 1st Additional Sessions Judge cum Special Judge, Araria.

(Sunil Kumar Panwar, J)

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