

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.3093 of 2022**

Arising Out of PS. Case No.-534 Year-2022 Thana- BARACHATTI District- Gaya

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1. Naresh Sao @ Naresh Prasad Son of Ramdeo Sao Resident of village - Sobh, P.S.- Barachatti, Dist.- Gaya.
  2. Bhai Laxman Sao @ Laxaman Sao @ Laxman Sao Son of Ramdeo Sao Resident of village - Sobh, P.S.- Barachatti, Dist.- Gaya.

... .. Appellant/s

Versus

1. The State of Bihar
2. Meena Devi Wife of Kailash Paswan Resident of village - Sobh, P.S.- Barachatti, Dist.- Gaya.

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Binod Kumar Sinha

For the Respondent/s : Mr. Binay Krishna

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      29-09-2022                      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 30.07.2022 passed by learned Exclusive Special Judge SC/ST, Gaya in ABP No. 178 of 2022 whereby the prayer for bail of the appellants in connection with Barachatti P.S. Case no. 534 of 2022 under Sections 341, 342, 323, 504, 506/34 of the Indian Penal Code and sections 3(i)(r)(s) of SC/ST Act was rejected.

Allegations against the appellants are of abusing by taking the caste name of the informant and assaulting her.

It is submitted by learned counsel for the appellants that appellants have been falsely implicated in this case due to land



dispute. They have got no criminal antecedent. No offence is made out under the provisions of the SC/ST Act against them. The appellants have not taken the caste name of the informant in public view and they had no intention to disgrace her image.

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 30.07.2022 passed in A.B.P. No 178 of 2022 is hereby set aside.

The appellants are directed to be enlarged on bail in connection with Barachatti P.S. Case No. 534 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) 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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