

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3989 of 2022**

Arising Out of PS. Case No.-103 Year-2021 Thana- ATRI District- Gaya

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Pintu Yadav @ Pintu Kumar Son Of Arjun Yadav R/O Village- Amba Bigha,
P.S.- Atri, District- Gaya

... .. Appellant/s

Versus

1. The State Of Bihar
2. Shambhu Chaudhari Son Of Not Known R/O Village- Ghusari Tola, Karam Bigha, Post- Koilwan, P.S. And District- Aurangabad At Present Block Development Officer, Gohra, P.S.- Atri, District- Gaya

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Ajay Kumar Sinha
For the Respondent/s : Mr.Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-12-2022 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 20.10.2022 passed by learned Exclusive Special Judge SC/ST, Gaya in ABP No. 245 of 2022 whereby the prayer for bail of the appellant in connection with Atri P.S. Case no.103 of 2021 under Sections 341, 323, 379, 365, 353, 504, 506/34 of the Indian Penal Code and section 3(i)(r)(s), 3(2) (va) of SC/ST (POA) Act was rejected.

Allegations against the appellants are of abusing by taking the case of the informant and creating hindrance in discharging duties of official work.



It is submitted by learned counsel for the appellants that appellant has been falsely implicated in this case due to dirty village politics. He has not taken the caste name of the informant in public view. He has got no criminal antecedent. It is further submitted that there is no offence made out under the provisions of the SC/ST Act against him. The appellant has no intention to disgrace the image of the informant in public view. General and omnibus allegation against the appellants leveled by the informant.

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 20.10.2022 passed in A.B.P. No 245 of 2022 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Atri P.S. Case No. 103 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 Exclusive Special Judge SC/ST,
Gaya.

(Sunil Kumar Panwar, J)

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