

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.554 of 2023

Arising Out of PS. Case No.-52 Year-2022 Thana- KALUAHI District- Madhubani

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RANJIT SAH @ RANJIT KUMAR SAH S/O CHHOTE LAL SAH Resident
of village- Kalikapur, P.S.- Kaluahi, District- Madhubani.

... .. Appellant/s

Versus

1. The State of Bihar
2. MITHILESH DAS S/O RAM AVTAR DAS Resident of village- Kalikapur,
P.S.- Kaluahi, District- Madhubani.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Subhash Kumar Jha
For the Respondent/s : Mr.Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 22-06-2023 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State.

The instant appeal has been filed by the appellant against the order dated 11.1.2023 passed by learned Additional Sessions Judge 1st-cum-Special Judge, Madhubani in Kaluahi P.S. Case No. 52 of 2022 whereby the prayer for bail of the appellant under Sections 341, 323, 324, 325, 326, 307, 354(B), 379, 504, 506/34 of the Indian Penal Code and sections 3(i)(r) (s)/3(2)(va) of SC/ST Act was rejected.

Allegations against the appellant is of abusing and assaulting the informant and his family members. Specific allegation against the appellant is of giving farsa blow on the



head of informant's mother.

It is submitted by learned counsel for the appellants that appellants have been falsely implicated in this case. From perusal of the injury report annexed as Annexure-2 to this petition it appears that informant's mother has sustained abrasion injury caused by hard and blunt substance, showing its nature grievous. There is case and counter case. He has not taken the cast name of the informant in public view. No offence is made out under the provisions of the SC/ST Act against them. Appellant has got no criminal antecedent and languishing in judicial custody since 24.11.2022.

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 11.01.2023 passed in Kaluahi P.S. Case No. 52 of 2022 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Kaluahi P.S. Case No. 52 of 2022 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
Additional Sessions Judge 1st-cum- Special Judge, Madhubani.

(Sunil Kumar Panwar, J)

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