

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.902 of 2023**

Arising Out of PS. Case No.-150 Year-2022 Thana- MITHANPURA District- Muzaffarpur

Raju Ladan @ Md. Gulab @ Raju Laden Son Of Mohammad Sahid Mastana
Resident Of Village- Dheeran Patti, P.S.- Musahri, District- Muzaffarpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Pappu Paswan Son of Kailash Paswan Resident of Village- Pani Tanki Chowk, Paswan Tola, P.S.- Mithanpura, District- Muzaffarpur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Manjeet Kumar Mishra
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-05-2023 Heard learned counsel for the appellant and

learned Special P.P for the State.

The appellant has challenged the order dated

17.01.2023 passed by learned Special Judge, SC/ST

Act, Muzaffarpur in connection with Mithanpura P.S.

Case No. 150 of 2022 instituted for the offences

punishable under Sections 341, 323, 324, 307, 504,

506/34 of the Indian Penal Code and Sections 3(1)(r)

(s), 2(va) of the SC/ST Act, whereby his prayer for

being released on bail has been rejected.

The prosecution case as per F.I.R is that on



15.05.2022 at about 4:00 P.M, the accused persons along with their associates have assaulted and abused the informant by taking his caste name.

It is submitted by learned counsel for the appellant that appellant is innocent and he has falsely been implicated in this case. There is general and omnibus allegation against the appellant. The appellant was not present at the P.O. at the time of occurrence. The appellant is in custody since 08.12.2022. Moreover, other similarly situated co-accused persons have been granted bail by a coordinate Bench of this Court vide order dated 12.01.2023 passed in Cr. Appeal (SJ) No. 3104 of 2022.

Learned Special P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the appellant.

Taking into account the aforesaid facts, this Court deems it appropriate to set aside the order dated 17.01.2023.



Accordingly, this appeal is allowed.

The appellant, above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST Act, Muzaffarpur in connection with Mithanpura P.S. Case No. 150 of 2022.

(Sunil Kumar Panwar, J)

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