

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1067 of 2023

Arising Out of PS. Case No.-186 Year-2022 Thana- SAHAR District- Bhojpur

BANTY KUMAR @ BANTY SINGH @ PANKAJ KUMAR Son of Akhilesh
Singh Resident of Mohalla - Ekwari, P.S.- Sahar, District - Bhojpur.

... .. Appellant/s

Versus

1. The State of Bihar
2. Mahangu Ram Pan Kuwar Ram R/o Village-Ekwari, P.S.-sahar, District-
Bhojpur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Prabhat Kumar Singh
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 18-05-2023 Though notice has been issued to O.P. No. 2, no one
has turned to assist the Court.

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 24.11.2022 passed by learned 1st
Additional Sessions Judge Bhojpur Ara in SC/ST Case No. 153
of 2022 whereby the prayer for bail of the appellant in
connection with Sahar P.S. Case No. 186 of 2022 under Section
341, 323, 307, 504 and 506 of the Indian Penal Code, Section 27
of the Arms Act and section 3(1)(r)(s) of the SC/ST Act was
rejected.



As per allegation in the FIR, while the informant had gone to collect fire wood, appellant came there and started to abuse him and his wife and assault them by lathi. It is further alleged that he opened indiscriminate firing.

It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to dirty village politics. No one has received fire arm injury. As per impugned order only pain and swelling has been reported by the medical officer. 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 is languishing in judicial custody since 5.11.2022.

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 24.11.2022 passed in SC/ST Case No. 153 of 2022 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Sahar P.S. Case No. 186 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
1st Additional Sessions Judge Bhojpur at Ara.

(Sunil Kumar Panwar, J)

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