

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1273 of 2023

Arising Out of PS. Case No.-62 Year-2022 Thana- BELCHHI District- Patna

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SACHIN KUMAR @ GAURAV (KUMAR) S/o Satyendra Mahto @
Satyendra Prasad @ Satyendra Singh Resident of village-Gopalpur, P.S.-
Belchi, District-Patna Appellant/s

Versus

1. The State of Bihar
2. Kiran Devi W/o Chandeshwar Pawan Resident of village-Gopalpur, P.S.
Belchhi, District-Patna Respondent/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-07-2023 Heard learned counsel for the appellant, learned counsel
for the informant learned Special Public Prosecutor for the State.

The instant appeal has been filed by the appellant against the order dated 1.2.2023 passed by learned Special Judge, SC/ST Act, Patna whereby the prayer for bail of the appellant in connection with Belchhi P.S. Case No. 62 of 2022 under Sections 147, 149, 341, 323, 337, 307, 427 of the Indian Penal Code, Section 27 of the Arms Act and sections 3(1) (r)/3(1)(s)/3(2)(va) of SC/ST Act was rejected.

Allegations against the appellant is that he along with six other accused persons came to the house of the informant and started to abuse and stone pelting. Petitioner and two other co-accused opened fire.

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 any kind of injury. General and omnibus allegation has been levelled against the appellant. 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 languishing in judicial custody since 25.12.2022.

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 1.2.2023 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Belchhi P.S. Case No. 62 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 Special Judge SC/ST Act, Patna.

(Sunil Kumar Panwar, J)

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