

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1576 of 2023

Arising Out of PS. Case No.-145 Year-2020 Thana- BAKHTIYARPUR District- Patna

RUDAL RAI @ RUDAL SINGH S/o Gajadhar Singh @ Gajadhar Rai
Resident of Teja Bigha, P.S. Bakhtiyarpur, District-Patna

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. RAMESH DAS S/o Late Ganauri Das Resident of Lakhanpura, P.S. Bakhtiyarpur, District-Patna

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 24-08-2023 Heard learned counsel for the appellant, learned counsel for the informant and learned Special Public Prosecutor for the State.

The instant appeal has been filed by the appellant against the order dated 03.02.2023 passed by learned Spl. Judge SC/ST Act, Patna whereby the prayer for bail of the appellant in connection with Bakhtiyarpur PS Case No. 145 of 2020 In spl. Case No. 247 of 2020 under Sections 341, 323, 324, 307/34 of the Indian Penal Code and sections 27 of the Arms Act and Sections 3(i)(r)/3(2)(v) of the SC/ST Act was rejected.

As per allegation in the FIR, over a dispute of drain and passage, accused persons started to abuse and assault the



informant and his family members. Specific allegation against the appellant is that he opened fire upon the informant resulting into gunshot injury over his head.

It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to dirty village politics. As per impugned order, the matter has been compromised outside the court and now no grievance has remained between the parties. 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 11.08.2022.

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 03.02.2023 passed in is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Bakhtiyarpur P.S. Case No. 145 of 2020 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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