

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1616 of 2023

Arising Out of PS. Case No.-3 Year-2022 Thana- MAHNAR District- Vaishali

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1. Amresh Kumar @ Amresh Kumar Ray S/O- Late Ganesh Ray Village Thanpur Po- Parmanandpurp. S Mahnar, Dist- Vaishali
 2. Naresh Kumar @ Chotu @ Naresh Kumar Ray Son Of Ganesh Ray Village Thanpur Po- Parmanandpurp. S Mahnar, Dist- Vaishali

... .. Appellant/s

Versus

1. The State of Bihar
2. Sanjay Ram son of Mahendra Ram Village- Parmanandpur Po- Parmanandpur Ps- Mahnar Dist- Vaishali

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Nilendu Choudhary
		Mr. Abhay Kumar
For the Informant/s	:	Mr. Anil Kumar
For the State	:	Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 04-05-2023 Heard learned counsel for the appellants,

informant and learned Special P.P for the State.

The appellants have challenged the order dated 17.03.2023 passed by learned Special Judge SC/ST Act, Vaishali at Hajipur in connection with Mahnar P.S. Case No. 03 of 2022 instituted for the offences punishable under Sections 147, 148, 149, 341, 323, 504, 324, 325, 307 of the Indian Penal Code and Sections 3(1)(r) (s) of the SC/ST Act whereby their prayer for being



released on bail has been rejected.

It is a case of assaulting due to which the informant's side sustained injuries.

It is submitted by learned counsel for the appellants that appellants are innocent and they have falsely been implicated in this case. There is general and omnibus allegation against the appellants. For the alleged occurrence of 05.12.2021, the F.I.R. has been registered on 01.01.2022 without explaining the delay. The appellant No. 2 is alleged to have assaulted the informant with farsa but the injury report of the injured suggests the injuries simple in nature. The appellants are in custody since 26.02.2023.

Learned counsel appearing on behalf of the informant and learned Special P.P appearing on behalf of the State have vehemently opposed the prayer for bail of the appellants.

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



17.03.2023.

Accordingly, this appeal is allowed.

The appellants, above named, are directed to be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST, Vaishali in connection with Mahnar P.S. Case No. 03 of 2022.

(Sunil Kumar Panwar, J)

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