

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL APPEAL (SJ) No.1708 of 2023**

Arising Out of PS. Case No.-163 Year-2022 Thana- SAMASTIPUR MUFFASIL District-  
Samastipur

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SUJEET RAM @ SUJEET KUMAR RAM Son of Ram Babu Ram R/V-  
Kashipur, PS-Samastipur Town, Dist- Samastipur ... .. Appellant/s  
Versus

1. The State of Bihar
2. Lalan Ram Son of Late Visheshwar Ram R/V- Musapur, Ward no. 13, PS-  
Samastipur Muffasil, Dist- Samastipur  
... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr.Jitendra Narain Sinha  
For the Respondent/s : Mr.Usha Kumari 1

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR  
ORAL ORDER**

2      27-04-2023                      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 16.03.2023 passed by learned Court of Special Judge, SC/ST (POA) Act, Samastipur whereby the prayer for bail of the appellant in connection with Samastipur Muffasil P.S. Case no. 163 of 2022 under Sections 307, 387, 504, 427/34 of the Indian Penal Code and section 27 of the Arms Act and Section 3(1)(r)(s)/3(2)(va) of SC/ST (POA) Act was rejected.

It is a case of opening fire upon the informant and demanded ransom money. The accused persons abused by caste name and opened four round firing.

It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. No one has



sustained any fire arm injury. 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 him as the appellant himself belongs to SC/ST community. Appellant is languishing in judicial custody since 5.2.2023.

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 16.03.2023 passed in Samastipur Muffasil P.S. Case No. 163 of 2022 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Samastipur Muffasil P.S. Case No. 163 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 Court of Special Judge, SC/ST (POA) Act, Samastipur.

**(Sunil Kumar Panwar, J)**

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