

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1858 of 2023

Arising Out of PS. Case No.-86 Year-2022 Thana- RAJPUR District- Buxar

Sonu Singh Son Of Baban Singh Resident Of Village - Uttampur, P.S.-
Rajpur, District - Buxar.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rajeev Kumar Singh
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 03-08-2023 Heard learned counsel for the appellant and

learned Special P.P for the State.

The appellant has challenged the order dated
14.03.2023 passed by learned Additional District &
Sessions Judge-I-cum-Special Judge, SC/ST Act, Buxar
in connection with Rajpur P.S. Case No. 86 of 2022
instituted for the offences punishable under Sections
341, 447, 323, 307, 349 of the Indian Penal Code,
Section 27 of the Arms Act and Sections 3(2)(va) of the
SC/ST Act whereby his prayer for being released on bail
has been rejected.

It is a case of commission of opening fire by the



appellant and other accused persons as a result of which, the informant and his cousin sustained gunshot injuries. The accused persons also abused the informant and others by calling their caste name.

It is submitted by learned counsel for the appellant that appellant is innocent and he has falsely been implicated in this case. The occurrence did not take place in public view. Hence, the provision under SC/ST Act would not be attracted against the appellant. Moreover, good sense has prevailed between the parties and both sides have compromised the matter. The compromise petition has been annexed as Annexure-2 to the petition. The appellant is in custody since 05.02.2023.

Learned Special P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the appellant.

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



14.03.2023.

Accordingly, this appeal is allowed.

The appellant, above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional District & Sessions Judge, Buxar in connection with Rajpur P.S. Case No. 86 of 2022.

(Sunil Kumar Panwar, J)

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