

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1971 of 2023**

Arising Out of PS. Case No.-415 Year-2022 Thana- ALOULI District- Khagaria

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TARNI SADA Son of Lalo Sada R/V- Machhara, PS-Alauli, Dist- Khagaria

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 14-09-2023 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellant against the order dated 06.02.2023 passed by learned Additional Sessions Judge 1st-cum-Spl. Judge SC/ST Act, Khagaria whereby the prayer for bail of the appellant in connection with Alouli P.S. Case No. 415 of 2022 under Sections 147, 148, 149, 341, 323, 302, 504, 506 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3(2)(v) of the SC/ST Act was



rejected.

3. The allegation against the appellant along with others is of killing the husband of the informant.

4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. There is no specific overt act against the appellant rather special allegation of firing upon the informant's husband is against co-accused Ramnath Sada, due to which he died. He further submitted that the allegation against the appellant is that he made firing on Ramjugeshwar Sada, but no any injury was found on the hand of him. He has not taken the caste name of the informant in public view. No offence is made out under the provisions of the SC/ST Act against him. The appellant has no intention to disgrace the image of the informant in public view. He is languishing in judicial custody since 28.09.2022.

5. The appeal for bail is opposed by learned Spl. P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 06.02.2023 arising out of Alouli P.S. Case No. 415 of 2022 is hereby set aside.



7. The appellant is directed to be enlarged on bail in connection with Alouli P.S. Case No. 415 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 A.D.J.-1st-cum-Special Judge (SC/ST Act), Khagaria.

(Sunil Kumar Panwar, J)

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