

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1969 of 2023

Arising Out of PS. Case No.-14 Year-2023 Thana- KATEYA District- Gopalganj

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BRAHMA CHOUDHARY SON OF LATE RAJDEO CHOUDHARY R/O
VILLAGE- NAGAD POIYA, P.O.- CHHITAURA, P.S.- KATEYA,
DISTRICT- GOPALGANJ

... .. Appellant/s

Versus

1. The State of Bihar
2. PUJA DEVI WIFE OF SOCHINDRA BAITHA R/O VILLAGE- BHAT
POIYA, P.S.- KATEYA, DISTRICT- GOPALGANJ

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr.Raju Prasad
For the Respondent/s	:	Mr.Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-05-2023 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 4.3.2023 passed by learned Additional Sessions Judge-III-cum-Special Judge, SC/ST Act, Gopalganj whereby the prayer for bail of the appellant in connection with Kateya P.S no. 14 of 2023 under Sections 341, 323, 354, 420, 504, 506, 34 of the Indian Penal Code and sections 3(i)(r)(s)(w) (i), 3(2)(V) of SC/ST Act was rejected.

Allegations against the appellant is of abusing the informant by taking his cast name while he had gone to his door to demand consideration amount of his house.



It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. 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. Informant's husband has admitted before the registrar that he has already obtained the full consideration money then he has made signature on the deed and executed the land and this fact is supported by Annexure-2. Appellant has got no criminal antecedent and languishing in judicial custody since 11.2.2023.

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 4.3.2023 passed in Kateya P.S. Case No. 14 of 2023 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Kateya P.S. Case No. 14 of 2023 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



Additional Sessions Judge III ~~cum~~ Special Judge, SC/ST Act,
Gopalganj.

(Sunil Kumar Panwar, J)

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