

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2241 of 2023

Arising Out of PS. Case No.-275 Year-2022 Thana- PANAPUR District- Saran

Guddu Singh @ Dhananjay Kumar Singh Son Of Awadhesh Singh Resident
Of Village - Bhorha, P.S. - Panapur, Distt. - Saran

... .. Appellant/s

Versus

1. The State of Bihar
2. Dinesh Paswan Son Of Ramnath Paswan Resident Of Village - Bhorha, P.S.
- Panapur, Distt. - Saran

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Surendra Kishore Thakur
For the Respondent/s : Mrs.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-11-2023 Heard learned counsel for the appellant, learned

Special Public Prosecutor for the State and learned counsel for

the informant.

2. The instant appeal has been filed by the appellant
against the order dated 29.03.2023 passed by learned
Additional Sessions Judge-III-cum-SC/ST Special Court,
Saran whereby the prayer for bail of the appellant in
connection with Panapur P.S. Case no. 275 of 2022 under
Sections 341 and 307 of the Indian Penal Code, sections 25(1-
b)A, 26, 27 and 36 of the Arms Act and Sections 3(i) (r) (s) of
the SC/ST Act was rejected.

3. Allegation against co-accused persons is that



they fired upon the informant along with his son due to which they sustained injuries. Further police arrested co-accused person and from their, country made pistol along with live cartridges, mobile and one motorcycle.

4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. 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 is not named in FIR rather his name came into light in this case on the basis of confessional statement of confessional statement of other co-accused persons before the police which has got no evidentiary value in the eye of law. Nothing specific allegation has been levelled against the appellant and also no any incriminating article has been recovered from his conscious possession. Moreover, the appellant is languishing in judicial custody since 10.02.2023.

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

6. 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 29.03.2023 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Panapur P.S. Case No. 275 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 Additional Sessions Judge-III-cum-SC/ST Special Court, Saran.

(Sunil Kumar Panwar, J)

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