

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2308 of 2023

Arising Out of PS. Case No.-561 Year-2020 Thana- RAJAOLI District- Nawada

Ranjeet @ Sanu @ Sano Kumar Son Of Late Ram Parichan Ram @ Late Azad Das Resident Of Village - Mai, P.S. - Bhelawar O.P. (Kako), Distt. - Jehanabad At Present Resident Of Village Baghpur, Punpun P.S. Parsa Bazar, Distt. - Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Shiv Narayan Ram Son of Late Bachchu Ram Resident of village - Pranchok Tola Binovanagar, P.S. - Rajauli, Distt. - Nawada

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Milind Kumar Mishra
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 06-07-2023 Heard learned counsel for the appellant and learned Special Public Prosecutor for the State.

The instant appeal has been filed by the appellant against the order dated 22.03.2023 passed by learned Exclusive Special Court Scheduled Castes and Scheduled Tribes, Nawada in BP No. 282 of 2023 whereby the prayer for bail of the appellant in connection with Rajaoli P.S. Case no. 561 of 2020 under Section 302, 201, 120B of the Indian Penal Code and sections 3(2)(v) of SC/ST Act was rejected.

Allegations against the appellant and co-accused



persons is that they committed murder of the informant's wife and son.

It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case merely on the basis of confessional statement of co-accused. The informant is not named in the FIR and there is no eye witness of the alleged occurrence. The informant has got no criminal antecedent and 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. Other co-accused persons have already been granted bail by this Court vide order dated 25.01.2023 passed in Cr. Appeal (SJ) No. 2125 of 2021 hence, the case of this informant stands on better footing of that of the co-accused. It is further submitted that the informant suo-motu surrendered on 09.02.2023, and since then he is languishing in judicial custody.

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 22.03.2023 passed in B.P. No 282 of 2023 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Rajaoli P.S. Case No. 561 of 2020 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 Exclusive Special Judge Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act), Nawada.

(Sunil Kumar Panwar, J)

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