

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2321 of 2023

Arising Out of PS. Case No.-145 Year-2022 Thana- SAHPUR District- Patna

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Rakesh Rai @ Rakesh Kumar Son Of Sujit Rai R/O- Mathiyapur Ps- Shahpur
Dist- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Anand Kumar Ram son of Late Saguni Das R/o- Shekhuchak Ps- Shahpur
Dist- patna

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Raj Krishna Jha
For the Respondent/s : Mr.Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 31-08-2023 Heard learned counsel for the appellant,

informant and learned Special P.P for the State.

The appellant has challenged the order dated 31.03.2023 passed by learned Special Judge, SC/ST Act, Patna in connection with Shahpur P.S. Case No. 145 of 2022 instituted for the offences punishable under Sections 341, 448, 323, 324, 325, 307, 509, 354, 354(A), 335, 447, 504, 506, 34 of the Indian Penal Code and Sections 3(1)(r)(s)(w)(i)(ii) of the SC/ST Act whereby his prayer for being released on bail has been rejected.



The prosecution case as per F.I.R is that all the F.I.R named accused persons assaulted the informant and other family members and when the female members of the informant came to rescue, they misbehaved with them. The accused persons also abused the informant's side by calling caste name.

It is submitted by learned counsel for the appellant that appellant is innocent and he has falsely been implicated in this case. There is general and omnibus allegation against the appellant. The occurrence took place due to sudden provocation and quarreling and offence committed was not intended. The appellant is in custody since 26.01.2023. Moreover, good sense has prevailed between the parties and both sides have compromised the matter. A statement has been made in para 3 of the petition that appellant has no criminal antecedent.

Learned counsel appearing on behalf of the informant and learned Special P.P appearing on behalf of



the State though have opposed the prayer for bail of the appellant but submitted that both sides have compromised the matter.

Taking into account the aforesaid facts, this Court deems it appropriate to set aside the order dated 31.03.2023.

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 Special Judge, SC/ST Act, Patna in connection with Shahpur P.S. Case No. 145 of 2022.

(Sunil Kumar Panwar, J)

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