

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2478 of 2023

Arising Out of PS. Case No.-127 Year-2023 Thana- RANIGANJ District- Araria

Bhim Lal Mehta Son Of Late Kant Lal Mehta Resident Of Village - Bistoria,
Ward No. 15, P.S. - Raniganj, Distt. - Araria

... .. Appellant/s

Versus

1. The State of Bihar
2. Dayanand Mehta Son of Late Kant Lal Mehta Resident of village - Bistoria,
ward no. 15, P.S. - Raniganj, Distt. - Araria

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Bidhanesh Misra
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-08-2023 Heard learned counsel for the appellant,

informant and learned Special P.P for the State.

The appellant has challenged the order dated 28.04.2023 passed by learned 1st Additional Sessions Judge-cum-Special Judge SC/ST Act, Araria in connection with Raniganj P.S. Case No. 127 of 2023 instituted for the offences punishable under Sections 447, 147, 149, 341, 323, 324, 325, 307, 379, 504 of the Indian Penal Code and Sections 3(1)(r)(s) of the SC/ST Act whereby his prayer for being released on bail has been rejected.



It is a case of assaulting due to which the informant and his nephew sustained injuries.

It is submitted by learned counsel for the appellant that appellant is innocent and he has falsely been implicated in this case. There is land dispute between the parties for which a Title Suit is pending between the parties. There is counter version of the occurrence and appellant's side also sustained injuries. There is no specific allegation against the appellant. The appellant is in custody since 27.03.2023.

Learned counsel appearing on behalf of the informant and learned Special P.P appearing on behalf of the State have vehemently opposed the prayer for bail of the appellant.

Taking into account the aforesaid facts, this Court deems it appropriate to set aside the order dated 28.04.2023.

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 1st Additional Sessions
Judge-cum-Special Judge, Araria in connection with
Raniganj P.S. Case No. 127 of 2023.

(Sunil Kumar Panwar, J)

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