

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2476 of 2023

Arising Out of PS. Case No.-37 Year-2022 Thana- PALIGANJ District- Patna

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Bijendra Singh S/O Late Ban Bihari Singh R/O Village-Sikariya, P.S.-
Paliganj, Dist.-Patna

... .. Appellant/s

Versus

1. The State Of Bihar
2. Gori Kunwar W/O Late Rajnandan Manjhi R/O Village- Dhibari, P.S.-
paliganj, Dist.-patna

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Sanjay Prasad

For the Respondent/s : Mr.Usha Kumari 1

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

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

learned Special P.P for the State.

The appellant has challenged the order dated

11.04.2023 passed by learned Exclusive Special Judge

SC/ST Act, Patna in connection with Paliganj P.S. Case

No. 37 of 2022 instituted for the offences punishable

under Sections 341, 323, 379, 452, 504/34 of the

Indian Penal Code, Section 27 of the Arms Act and

Sections 3(1)(r) 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 including the appellant have assaulted the informant and her son and abused them by calling their caste name.

It is submitted by learned counsel for the appellant that appellant is innocent and he has falsely been implicated in this case. The appellant is a poor vegetable seller and since he had objected the informant for selling illegal liquor, he has been roped in the present case. The appellant has no concern with the alleged occurrence. The appellant is in custody since 06.02.2023. A statement has been made in para 3 of the petition that appellant has clean antecedent. Moreover, similarly situated co-accused have been granted privilege of bail by a coordinate Bench of this Court vide order dated 28.06.2023 passed in Cr. Appeal(SJ) No. 87 of 2023 and other analogous cases.

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 11.04.2023.

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 Special Judge, SC/ST Act, Patna in connection with Paliganj P.S. Case No. 37 of 2022.

(Sunil Kumar Panwar, J)

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