

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2529 of 2023

Arising Out of PS. Case No.-1 Year-2022 Thana- SAKURABAD District- Jehanabad

Ravi Kumar @ Ravi Ranjan Kumar @ Ravi Ranjan S/O Lutan Rout R/O
Village- Murhara, Kali Math P.S.-Sakurabad Dist.-Jehanabad

... .. Appellant/s

Versus

1. The State Of Bihar
2. Bakhora Paswan S/O Late Gopal Paswan R/O Village- Rustamchak , P.S.-
sakurabad, Dist.-jehanabad

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ram Prawesh Kumar
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 09-11-2023 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellant against the order dated 26.04.2023 passed by learned Additional District Judge, Ist cum-Special Judge SC/ST, Court Jehanabad whereby the prayer for bail of the appellant in connection with Shakurabad P.S. Case no. 01 of 2022 under Sections 341, 323, 307, 302, 504 and 34 of the Indian Penal Code and sections 3(i) (r) (s)3(2) (va)of SC/ST Act was rejected.

3. As per allegation in the FIR, appellant along with other co-accused persons fired upon the son of the informant and his friend Shambhu Yadav on account of previous enmity.



Later on informant's friend died due to gun shot injuries.

4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to village politics. 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. Nothing has been recovered from the conscious possession of the appellant. The specific allegation of opening fire to the deceased is against one Benkatesh Sharma not against this appellant. There is general and omnibus allegation against the appellant. A statement has been made in para-3 of this petition that the appellant has got no criminal antecedent. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 10.08.2023 in Cr. App(SJ) No. 2676 of 2023. Moreover, the appellant is languishing in judicial custody since 23.03.2023.

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

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 26.04.2023 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Shakurabad P.S. Case No. 01 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 District Judge, 1st cum Special Judge, SC/ST Court Jehanabad.

(Sunil Kumar Panwar, J)

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