

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2711 of 2023

Arising Out of PS. Case No.-32 Year-2023 Thana- NIMACHANDPURA District- Begusarai

Manoj Kumar Son Of Lalu Sahni @ Lalo Sahni Village- Banbara (Banwara)
P.S- Neemachandpura Dist- Begusarai

... .. Appellant/s

Versus

1. The State of Bihar
2. Purushottam Kumar son of Surendra Paswan Village- Banbara Ps-
Neemachandpura Dist- Begusarai

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sunil Prasad

For the Respondent/s : Mr.Binay Krishna

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 and learned counsel for the informant.

2. The instant appeal has been filed by the appellant against the order dated 25.04.2023 passed by learned Exclusive Special Judge, SC/ST (POA) Act, Begusarai whereby the prayer for bail of the appellant in connection with Neemachandpura P.S. Case no. 32 of 2023 under Sections 341, 323, 307, 504 and 506 of the Indian Penal Code, Section 27 of the Arms Act and sections 3(1) (r), 3(2) (v) of of SC/ST (Prevention of Atrocities Act) Act was rejected.

3. Allegation against the appellant is that he fired upon the informant due to which he sustained gun shot injuries on the left side of his chest and also abused him by calling his caste name.

4. It is submitted by learned counsel for the appellant that



appellant has been falsely implicated in this case due to village politics. The appellant has no intention to disgrace the image of the informant in public view. A statement has been made in para-3 of this petition that the appellant has got no criminal antecedent. Moreover, he is languishing in judicial custody since 22.03.2023.

5. The application for bail is opposed by learned Spl. P.P. for the State and learned counsel for the informant and submitted that there is specific overt act against the appellant to fire upon the informant which hit on the left side of his chest. The appellant is named in FIR and injury report also corroborated the prosecution case. During investigation, witnesses supported the prosecution version.

6. Having heard learned counsel for the parties and taking into consideration the facts and circumstances of this case. I do not find it appropriate to grant bail to the appellant and, as such, his prayer for bail stands rejected.

7. The appeal stands disposed off.

8. The trial Court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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