

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2730 of 2023

Arising Out of PS. Case No.-182 Year-2022 Thana- MANJHAGARH District- Gopalganj

Harendra Yadav @ Harindra Yadav Son Of Late Baban Yadav Resident Of
Village- Bhaisai Korad, Ps -Manjhagadh, Dist- Gopalganj

... .. Appellant/s

Versus

1. The State of Bihar
2. Krishna Kumar Mahto Son Of Late Prabhunath Mahto Resident Of Village-
Bhaisi Tatva Toli, Ps- Manjhagadh, Distt- Gopalganj

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sumit Shekhar Pandey
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 14-09-2023 Though notice has been issued to O.P. No. 2, no one
has turned to assist the Court.

Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State.

The instant appeal has been filed by the appellant
against the order dated 19.04.2023 passed by learned Additional
Sessions Judge III-cum-Special Judge, SC/ST, Gopalganj, Bihar
whereby the prayer for bail of the appellant in connection with
Manjhagarh P.S. Case no. 182 of 2022 under Sections 147, 149,
341, 323, 325, 307, 379, 504, 506/34 of the Indian Penal Code
and sections 3(i)(r)(s) of SC/ST Act was rejected.

As per allegation in the FIR, informant and Deo



Narayan Singh were going towards their house with bike, in the meanwhile on the way all named accused persons and other three unknown handed with arms surrounded the informant and started to abuse him by calling out his caste name. On protest, petitioner and other accused gave iron rod blow causing fracture the right hand of the informant and they took away Rs. 90,000/- from the pocket of the informant.

It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to dirty village politics. General and omnibus allegation of assault has been levelled against the petitioner. He has not taken the cast name of the informant in public view. No offence is made out under the provisions of the SC/ST Act against them. He has got no criminal antecedent and languishing in judicial custody since 19.04.2023.

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

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 19.04.2023 is hereby set aside.



The appellant is directed to be enlarged on bail in connection with Manjhagarh P.S. Case No. 182 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 Sessions Judge III, cum Special Judge-III, cum Special Judge, SC/ST, Gopalganj, Bihar.

(Sunil Kumar Panwar, J)

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