

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2924 of 2023

Arising Out of PS. Case No.-224 Year-2023 Thana- PURNEA SADAR District- Purnia

RAHUL KUMAR BHAGAT @ RAHUL KUMAR Son of Rambilash Bhagat
Resident of village - Khuskibagh, Naya Tola, ward no. 41, P.S. - Sadar, Distt.
- Purnea

... .. Appellant/s

Versus

1. The State of Bihar
2. Sachidanand Paswan Son of Late Ramdev Paswan Resident of village -
Khuskibagh, Naya Tola, ward no. 41, P.S. - Sadar, Distt. - Purnea

... .. Respondent/s

Appearance :

For the Appellant/s : Dr. Bidhu Ranjan
For the Respondent/s : Mr. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 21-09-2023 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 12.06.2023 passed by learned Special Judge SC/ST Act, Purnea whereby the prayer for bail of the appellant in connection with Sadar P.S. Case no. 224 of 2023 under Sections 147, 149, 341, 323, 307, 504, 506 of the Indian Penal Code and sections 3(1)(r)(s) of the SC/ST Act was rejected.

Allegations against the appellant and other accused persons is that they encircled the informant and assaulted him by means by lathi as a result of which he fell down thereafter



accused persons assaulted on his head. When his family members came there to rescue the injured, they were also assaulted by them.

It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. He is innocent. Injured has received simple injury. General and omnibus allegations have been levelled against the appellant. 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 30.5.2023.

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 12.6.2023 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Sadar PS Case No. 224 of 2023 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



Special Judge, SC/ST Act, Purnea.

(Sunil Kumar Panwar, J)

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