

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2920 of 2023

Arising Out of PS. Case No.-165 Year-2022 Thana- NAYA RAM NAGAR District- Munger

Sweety Yadav @ Praveen Yadav Son Of Arun Yadav @ Arun Prasad Yadav
Resident Of Village - Gauripur, P.S. - Naya Ram Nagar (Safiya Sarai), Distt. -
Munger

... .. Appellant/s

Versus

1. The State of Bihar
2. Kalyani Devi Wife of Late Bumbum Kumar Resident of village - Gauripur,
P.S. - Naya Ramnagar (Safiya Sarai O.P), Distt. - Munger

... .. Respondent/s

with
CRIMINAL APPEAL (SJ) No. 3291 of 2023

Arising Out of PS. Case No.-165 Year-2022 Thana- NAYA RAM NAGAR District- Munger

Sharwan Kumar S/O Late Sikandra Yadav R/O Village- Adampur, P.S- Naya
Ram Nagar,(Safiabad), Distt.- Munger.

... .. Appellant/s

Versus

1. The State of Bihar
2. Kalyani Devi W/O Late Bumbum Kumar R/O Village- Gauripur, P.S- Naya
Ramnagar(Safiya Sarai OP), Distt.- Munger.

... .. Respondent/s

Appearance :

(In CRIMINAL APPEAL (SJ) No. 2920 of 2023)

For the Appellant/s : Mr.Ranjeet Patel

For the Respondent/s : Mr.Usha Kumari 1

(In CRIMINAL APPEAL (SJ) No. 3291 of 2023)

For the Appellant/s : Mr.Ranjeet Patel

For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-11-2023 Heard learned counsel for the appellants and learned

Special Public Prosecutor for the State.

The instant appeal has been filed by the appellants



against the order dated 18.05.2023 passed by learned Additional District and Sessions Judge 1st, cum Exclusive Judge, SC/ST, Munger whereby the prayer for bail of the appellants in connection with Naya Ramnagar (Safiya Sarai) P.S. Case no. 165 of 2022 under Sections 302, 386 and 34 of the Indian Penal Code, Section 27 of the Arms Act and sections 3(2) (v) of SC/ST Act was rejected.

Allegation against the appellants along with other co-accused is that they committed murder of the informant's husband by firearm and the reason of this as alleged occurrence is said to be that one co-accused Arvind Yadav demanded ransom money from the informant's husband but he did not paid him, therefore killed her husband.

It is submitted by learned counsel for the appellants that appellants have been falsely implicated in this case. The appellants were not named in FIR rather their name came into light in this case during investigation on the basis of confessional statement of co-accused Arvind Yadav before the police who demanded ransom money from the deceased and he is named in FIR. Nothing consistent material has come against the appellants. Moreover, they are languishing in judicial custody since 24.01.2023 and 19.01.2023 respectively.



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 appellants, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 18.05.2023 is hereby set aside.

The appellants are directed to be enlarged on bail in connection with Naya Ramnagar (Safiya Sarai) P.S. Case. No 165 of 2022 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each of them with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge 1st, Cum Special Judge SC/ST Act, Munger.

(Sunil Kumar Panwar, J)

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