

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3599 of 2023

Arising Out of PS. Case No.-410 Year-2023 Thana- KATIHAR NAGAR District- Katihar

Rikesh Yadav Son Of Ram Awatar Yadav Resident Of Mohalla - Barmasia
Ward No.08, P.S. - Sahayak, District - Katihar

... .. Appellant/s

Versus

1. The State Of Bihar
2. Laxmi Devi Wife Of Saheb Ram Paswan Resident Of Mohalla - Barmasia
Ward No.08, P.S. - Sahayak, District - Katihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Bimal Kumar

For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 21-09-2023 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State and learned counsel for
the informant.

The instant appeal has been filed by the appellant against the order dated 18.07.2023 passed by learned Additional District Judge-I, cum Special Judge SC/ST, Katihar whereby the prayer for bail of the appellant in connection with Nagar Sahayak (Katihar Sahayak) P.S. Case no. 410 of 2023 under Sections 147, 448, 341, 323, 354(B), 337, 427, 379, 504, 506 and 34 of the Indian Penal Code and sections 3(i)(r)(s)(w) of SC/ST Act was rejected.

Allegation against the appellant along with other co-



accused persons is that they assaulted the informant along with her daughter for land dispute. It is further alleged that they outraged the modesty of the informant along with her daughter and also one co-accused person abused the informant by taking her caste name.

It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to dirty 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. There is litigating term between both the parties for land dispute. General and omnibus allegation has been levelled against all the accused persons including this appellant. Moreover, the appellant is languishing in judicial custody since 03.07.2023.

The appeal for bail is opposed by learned Spl. P.P. for the State and learned counsel for the informant and submitted that the appellant has several criminal antecedents and he is habituated to do such types of offence.

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 18.07.2023. passed in connection with Nagar Sahayak (Katihar Sahayak) P.S. Case No. 410 of 2023 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Nagar Sahayak (Katihar Sahayak) on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of Additional District Judge-I, cum Special Judge SC/ST, Katihar.

(Sunil Kumar Panwar, J)

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