

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3605 of 2023**

Arising Out of PS. Case No.-256 Year-2022 Thana- MADANPUR District- Aurangabad

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SANJEET SINGH @ SANJEET KUMAR SINGH SON OF PANCHAM
SINGH RESIDENT OF VILLAGE- TETARIA, P.S. SALAIYA, DISTRICT-
AURANGABAD (BIHAR)

... .. Appellant/s

Versus

1. The State of Bihar
2. SHARDA DEVI SON OF LATE ASHOK PASWAN @ PAPPU PASWAN
RESIDENT OF VILLAGE- KHIRIYAWAN THAKUR TOLA, P.S.-
MADANPUR, DISTRICT- AURANGABAD

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Ravi Shankar Singh
For the Respondent/s : Mr.Usha Kumari 1

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-11-2023 1. Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellant
against the order dated 12.07.2023 passed by learned Special
Judge (SC/ST) cum 1st Additional District & Sessions Judge,
Aurangabad in BP No. 739 of 2022 whereby the prayer for bail
of the appellant in connection with Madanpur P.S. Case no. 256
of 2022 under Sections 272, 273, 304, of the Indian Penal Code
and sections 3(1)(a)(s), 3(2)(v) of SC/ST Act was rejected.

3. As per allegation in the FIR, informant's husband
had consumed spurious liquor resulting into his death. It is



further alleged that appellant along with other accused persons are indulged in trade of illicit liquor.

4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. No specific allegation is levelled against the appellant. During investigation, his name has been surfaced in confessional statement of co-accused. There is no specific allegation of murder levelled against the petitioner. No offence is made out under the provisions of the SC/ST Act against them. Similarly situated co-accused has already been granted bail by this Court vide order dated 16.10.2023 passed in Cr. Appeal (SJ) No. 3866 of 2023. The accused is languishing in judicial custody since 22.06.2023.

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

6. 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 12.07.2023 passed in B.P. No. 739 of 2022 is hereby set aside.

7. The appellant is directed to be enlarged on bail in



connection with Madanpur PS Case No. 256 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 Special Judge (SC/ST)-cum-1st Additional District
& Sessions Judge, Aurangabad.

(Sunil Kumar Panwar, J)

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