

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3621 of 2023

Arising Out of PS. Case No.-337 Year-2021 Thana- RIGA District- Sitamarhi

Angesh Kumar @ Angesh Singh Son Of Ashok Kumar Singh Resident Of
Village - Panchhaur, P.S. - Riga, District - Sitamadhi

... .. Appellant/s

Versus

1. The State Of Bihar Patna
2. Ajay Bharti Son Of Shri Ramchandra Paswan Resident Of Village - Riga
Station Tola, Ward No.12, P.S. - Riga, District - Sitamadhi

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Vasant Vikas
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 07-12-2023 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 27.06.2023 passed by learned Additional Sessions Judge-I-cum Special Judge SC/ST, Sitamarhi whereby the prayer for bail of the appellant in connection with Riga P.S. Case no. 337 of 2021 under Sections 302, 34 of the Indian Penal Code and sections 3(2) (v) of SC/ST Act was rejected.

3. Allegation against co-accused persons is that they due to previous dispute committed murder of the informant's son.



4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to previous dispute. The appellant is not named in the FIR rather his name has been dragged in this case merely on the basis of confessional statement of co-accused, namely, Priyanshu Kumar. The appellant 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. It is further submitted that the appellant is languishing in judicial custody since 22.05.2023.

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 27.06.2023 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Riga P.S. Case no. 337 of 2021 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-I-cum Special Judge



SC/ST Act, Sitamarhi.

(Sunil Kumar Panwar, J)

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