

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3662 of 2023**

Arising Out of PS. Case No.-69 Year-2023 Thana- TARABARI District- Araria

MANESHWAR YADAV SON OF LATE NADHARU YADAV VILLAGE
AAMGACHHI ARRBARI P S TARABARI DISTT ARARIA

... .. Appellant/s

Versus

1. The State Of Bihar
2. Shankar Chaupal Son Of Badri Chaupal R/O Vill- Aamgachhi Arrbari, Ps-
Tarabari, Dist- Araria

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Vijay Kishore Bharti
For the Respondent/s : Mr.Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 30-11-2023 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellant against the order dated 20.7.2023 passed by learned 1st Addl. Sessions Judge-cum-Special Judge Araria whereby the prayer for bail of the appellant in connection with Tarabari P.S. Case no. 69 of 2023 under Sections 147, 148, 149, 341, 323, 307, 354(B), 380, 379, 504, 506 of the Indian Penal Code and sections 3(r)(s) of SC/ST Act was rejected.

3. The FIR named accused persons along with the appellant is said to have assaulted the informant as well as his wife. Allegation against this appellant is of assaulting the



informant's wife by means of *Farsa* due to which she sustained injury.

4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to dirty village politics and land dispute. There is case and counter case between the parties. He has not taken the caste name of the informant in public view as such, 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 24.6.2023.

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 20.7.2023 passed in Tarabari P.S. Case no. 69 of 2023 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Tarabari P.S. Case no. 69 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



1st Addl. Sessions Judge-cum-Special Judge Araria.

(Sunil Kumar Panwar, J)

Amandeep/-

U		T	
---	--	---	--

