

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3761 of 2023

Arising Out of PS. Case No.-37 Year-2023 Thana- BHADAUR District- Patna

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1. Laxman Chauhan @ Laxman Kumar Son Of Ram Singar Chauhan Resident Of Village- Dabhawan, Police Station -BHADAUR, Distt- Patna
 2. Pramod Chauhan @ Jitu Kumar Son Of Madhusudan Chauhan Resident Of Village- Dabhawan, Police Station -BHADAUR, Distt- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Pintu Paswan Son Of Late Ram Pravesh Paswan Resident Of Village- Dabhawan, Police Station -bhadaur, Distt- Patna

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Arun
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-11-2023 Heard learned counsel for the appellants, learned Special Public Prosecutor for the State and learned counsel for the informant.

The instant appeal has been filed by the appellants against the order dated 11.07.2023 passed by learned Exclusive Special Court, SC/ST, Act, Patna whereby the prayer for bail of the appellants in connection with Bhadaur P.S. Case no. 37 of 2023 under Sections 341, 323, 325, 307, 504, 506 and 34 of the Indian Penal Code and sections 3(i) (r) (s) 2 (va) of SC/ST Act was rejected.

Allegations against the appellants along with other co-



accused persons is that they assaulted the informant's brother due to which he sustained injuries.

It is submitted by learned counsel for the appellants that appellants have been falsely implicated in this case due to village politics. They have 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 them. Nothing specific allegation has been levelled against the appellants rather general and omnibus allegation has been levelled against all of them including these appellants. A statement has been made in para-3 of this petition that the appellants have got no criminal antecedent. Moreover, they are languishing in judicial custody since 04.05.2023 and 09.05.2023 respectively.

The appeal for bail is opposed by learned Spl. P.P. for the State and learned counsel for the informant.

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 11.07.2023 is hereby set aside.

The appellants are directed to be enlarged on bail in connection with Bhadaur P.S. Case No. 37 of 2023 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 Exclusive Special Court, SC/ST, Act,
Patna.

(Sunil Kumar Panwar, J)

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