

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3860 of 2023

Arising Out of PS. Case No.-86 Year-2023 Thana- MADHEPURA District- Madhepura

Manoj Yadav Son Of Late Kokay Yadav Resident Of Village Nadhi, Ward
No.02, Police Station - Madhepura (BHARRAHI O.P), District - Madhepura

... .. Appellant/s

Versus

1. The State Of Bihar
2. Mithun Ram Son Of Yogendra Ram Resident Of Village - Nadhi, Police
Station - Madhepura (bharrahi O.P), District - Madhepura

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Uday Chand Prasad
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 07-12-2023 Heard learned counsel for the appellant and

learned Special Public Prosecutor for the State.

The instant appeal has been filed by the

appellant against the order dated 19.06.2023 passed by

learned Additional Sessions Judge-1st-cum-Special

Judge, Madhepura in BP No. 986 of 2023 whereby the

prayer for bail of the appellant in connection with

Madhepura (Bharrahi) P.S. Case no. 86 of 2023 under

Sections 341, 323, 324, 307, 354B, 379, 504, 506/34

of the Indian Penal Code and sections 3(i)(r)(s)

(w)3(2va) of SC/ST Act was rejected.



As per allegation in the FIR, while the informant's mother, namely, Sanjhiya Devi was working in her home, in the meantime all the F.I.R named accused persons including the appellant came and started abusing and when the informant's mother and aunt protested, they were assaulted by the accused persons. It is specifically alleged against co-accused Sanoj Yadav that he gave farsa blow to the mother of the informant whereas petitioner is alleged to have abused the mother of the informant by calling her caste name.

It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to land dispute. Informant's mother has received simple injury as per injury report. No specific overt act is levelled against the appellant. He has not taken the cast name of the informant in public view. No offence is made out under the provisions of the SC/ST Act against them. He has got no criminal antecedent and



languishing in judicial custody since 26.04.2023.

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

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 19.06.2023
passed in B.P. No. 986 of 2023 is hereby set aside.

The appellant is directed to be enlarged on
bail in connection with Madhepura (Bharrahi) PS Case
No. 86 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 Additional
Sessions Judge 1st -cum-Special Judge, Madhepura.

(Sunil Kumar Panwar, J)

Shageer/-

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

