

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3854 of 2023

Arising Out of PS. Case No.-326 Year-2019 Thana- RAJAOLI District- Nawada

PAPPU YADAV SON OF LATE KEDAR YADAV RESIDENT OF
VILLAGE CHAUTHA PS RAJAULI DIST NAWADA

... .. Appellant/s

Versus

1. The State of Bihar BIHAR
2. SUSHILA DEVI WIFE OF VIJAY PRASAD YADAV R/O VILL-
TAKUATAND, PS- RAJAULI, DIST- NAWADA

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sheo Kumar Prasad
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 16-10-2023 Heard learned counsel for the appellant, learned
counsel for the informant and learned Special Public Prosecutor
for the State.

The instant appeal has been filed by the appellant
against the order dated 25.07.2023 passed by learned Exclusive
Special SC/ST Act, Nawada whereby the prayer for bail of the
appellant in connection with Rajauli P.S. Case no. 326 of 2019
under Sections 341, 323, 504, 387/34 of the Indian Penal Code
and sections 3(i)(r)(s) of SC/ST Act was rejected.

Allegations against the appellant is of abusing and
assaulting to the driver of the informant and thereafter,
appellant set fire to his sand loaded tractor.



It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. 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. After prevailing good sense, matter has been compromised between the parties and learned counsel for the informant has accepted the fact. Appellant is languishing in judicial custody since 13.7.2023.

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 25.7.2023 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Rajauli PS Case No. 326 of 2019 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 Exclusive Special SC/ST Act, Court Nawada.

(Sunil Kumar Panwar, J)

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