

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3896 of 2023

Arising Out of PS. Case No.-55 Year-2022 Thana- PALANWA District- East Champaran

Manager Pandit Son Of Late Mahabir Pandit R/O Kharkatwa, Ps- Palanwa,
Dist- East Champaran, Motihari, Bihar

... .. Appellant/s

Versus

1. The State of Bihar
2. Abhimanyu Sah Kharkatwa
3. Abhimanyu Sah Gond Son Of Sahdeo Sah Resident Of Kharkatwa, Ps- Palanwa, Dist- East Champaran, Motihari, Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Akshay Ashish
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
Special Public Prosecutor for the State.

The instant appeal has been filed by the appellant against the order dated 4.8.2023 passed by learned Spl. Judge SC/ST, East Champaran, Motihari whereby the prayer for bail of the appellant in connection with Palanwa P.S. Case no. 55 of 2022 under Sections 341, 323, 447, 379, 436, 504/34 of the Indian Penal Code and sections 3(i) (r)II(va) of SC/ST Act was rejected.

As per allegation in the FIR, appellant and other accused persons entered into the house of the informant and



assaulted the informant and his family members and put the house on fire.

It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to land dispute. 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 him. Similarly situated other accused persons have already been enlarged on bail vide order dated 7.7.2023 passed in Cr. Appeal (S.J.). 1176 of 2023. Appellant is languishing in judicial custody since 10.07.2023.

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 4.8.2023 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Palanwa PS Case No. 55 of 2022 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 Spl. Judge SC/ST, East Champaran, Motihari.

(Sunil Kumar Panwar, J)

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