

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3506 of 2022**

Arising Out of PS. Case No.-42 Year-2021 Thana- LODIPUR District- Bhagalpur

AJAY YADAV S/o Raja Yadav @ Raju Yadav Resident of village- Basantpur,
P.S.- Lodipur, District- Bhagalpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Bikki Paswan Son of Karu Paswan R/o vill-Paswan Tola Lodipur, P.S.-
Lodipur Dist- Bhagalpur.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rajive Ranjan Singh
For the Respondent/s : Mr.Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 28-03-2023 Heard learned counsel for the parties.

The learned counsel for the appellant is directed to remove all the defects pointed out by the Stamp Reporter within one month.

This appeal has been preferred on behalf of the appellant under Section 14-A (2) of the SC & ST (Prevention of Atrocities) Act for setting aside the order dated 04.08.2022 in connection with Lodipur P.S.Case No. 42 of 2021 registered for the offences punishable under Sections 147, 148, 149, 341, 323, and 307 of the Indian Penal Code and Sections 3(1)(r)3(1)(s)3(1)(V) of the SC and ST (Prevention of Atrocities) Act,



whereby the prayer for bail of the appellant has been rejected.

As per allegation, when the informant was taking care of the property of his master Gautam Kumar, 13 named accused persons, along with 20-25 unknown, came there with arms and ammunition. Co-accused Raj Kishore Mandal abused the informant and his mother by calling their caste name. The accused persons fired shot, which hit the little finger of the informant and he was brought to a hospital for treatment.

Learned counsel for the appellant has submitted that there is no specific allegation against the appellant. The allegations are general and omnibus. There is no material against him and he has been made accused only on the basis of his criminal antecedents. He has submitted further that the appellant is in custody since 24.03.2022.

Considering the facts and circumstances, the appeal is allowed and the impugned order dated 04.08.2022 is set aside. Accordingly, the appellant, above-named, shall be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned IIIrd Addl. Sessions Judge SC/ST Act, Bhagalpur in connection with Lodipur P.S.Case No.42 of 2022.

Office shall ensure that all the defects are removed by



the appellant within the stipulated time provided hereinabove,
failing which the matter shall be brought to the notice of this
Court.

(Nawneet Kumar Pandey, J)

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