

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3705 of 2022

Arising Out of PS. Case No.-83 Year-2021 Thana- MASAUDHI District- Patna

BIKASH YADAV Son of Bhochal Yadav Resident of Village - Kharauna,
P.S.- Masaurhi, District - Patna.

... .. Appellant/s

Versus

1. The State of Bihar
2. Satish Kumar Son of Suresh Chaudhary R/o vill- Kharauna, P.S.-Masaudhi,
Dist- Nawada

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ajay Kumar Sinha
For the Respondent/s : Mr.Sadanand Paswan

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

ORAL ORDER

4 18-04-2023 Heard learned counsel for the appellant as well as
learned counsel for the informant.

This appeal has been preferred on behalf of the appellant under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act for setting aside the order dated 05.09.2022 passed by the learned Exclusive Special Court SC/ST Act, Patna in Spl. Case No. 52 of 2021 arising out of Masaurhi P.S. Case No. 83 of 2021, registered for the offences punishable under Sections 341, 323, 307, 504, 34 of the Indian Penal Code & Section 3(i)(r)(s) of SC and ST (Prevention of Atrocities) Act, whereby the prayer for bail of the appellant has been rejected.



Learned counsel for the appellant has submitted that the allegation of firing is there against the appellant which is falsified by the FIR itself as none has sustained injuries and it was called a missed fire. The petitioner is under custody since 21.06.2022 and other accused persons have been granted bail.

In these circumstances, the appeal is allowed and the impugned order dated 05.09.2022, passed by the learned Exclusive Special Court SC/ST Act, Patna in Spl. Case No. 52 of 2021 arising out of Masaurhi P.S. Case No. 83 of 2021 is set aside.

Accordingly, the appellant, above-named, shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned ADJ-III-cum-Spl. Judge SC/ST in connection with Masaurhi P.S. Case No. 83 of 2021.

(Nawneet Kumar Pandey, J)

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