

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4133 of 2023

Arising Out of PS. Case No.-22 Year-2016 Thana- NARPATGANJ District- Araria

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1. Sita Devi @ Sita Thakur Wife Of Surendra Thakur Resident Of Village -FATEHPUR, Ps- Narpatganj, Distt- Araria
 2. Sushil Thakur @ Sushil Kumar Thakur Son Of Surendra Thakur Resident Of Village -FATEHPUR, Ps- Narpatganj, Distt- Araria

... .. Appellant/s

Versus

1. The State of Bihar
2. Anandi Rishideo Son Of Late Gangari Rishideo Resident Of Village -fatehpur, Ward No. 15, Ps- Narpatganj, Distt- Araria

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ramesh Kumar Singh
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-11-2023 Heard learned counsel for the appellants and

learned Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellants against the order dated 25.07.2023 passed by learned 1st Additional Sessions Judge-cum-Special Judge, Araria whereby the prayer for bail of the appellants in connection with Narpatganj P.S. Case no. 22 of 2016 under Section 447, 341, 323, 326, 307, 435, 504/34 of the Indian Penal Code and sections 3(i) (ii), 3(2)(v) of SC/ST Act was rejected.



3. Allegation against the appellants is that they assaulted and poured Acid on the body of informant and others.

4. It is submitted by learned counsel for the appellants that appellants have been falsely implicated. They have 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. They have got no criminal antecedent. There is no specific allegation against the appellants rather the allegation levelled against them are general and omnibus. Similarly situated several co-accused persons have been granted bail by co-ordinate Bench of this Court.

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

6. Having heard learned counsel for the parties and taking into consideration that there is general and omnibus allegation against the appellants, the Court is inclined to allow this appeal. Accordingly, the appeal is



allowed and the impugned order dated 25.07.2023 is hereby set aside.

7. The appellants are directed to be enlarged on bail in connection with Narpatganj P.S. Case No. 22 of 2016 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each of them with two sureties of the like amount each to the satisfaction of the learned 1st Additional Session Judge-cum-Special Judge, Araria/ Concerned court.

(Sunil Kumar Panwar, J)

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