

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3645 of 2022

Arising Out of PS. Case No.-224 Year-2022 Thana- BIKRAM District- Patna

AMARJET YADAV @ AMARJEET KUMAR Son of Mahavir Yadav R/o-
Uddarchak P.s- Bikram Dist- Patna Appellant/s

Versus

1. The State of Bihar
2. Bijli Manjhi Son of Late Baishakhi Manjhi R/V- Uddar Chak, P.S- Bikram,
Dist- Patna Respondent/s

Appearance :

For the Appellant/s : Mr.Manoj Kumar Singh
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-02-2023 Though notice has been issued to O.P. No. 2, no one has
turned to assist the Court.

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 02.09.2022 passed by learned Special Judge SC/ST Act, Patna in Special Case No. 74 of 2022 whereby the prayer for bail of the appellant in connection with Bikram P.S. Case no. 224 of 2022 under Section 341, 323, 504/34 of the Indian Penal Code and sections 3(1)(r)(s), 3(2)(va) of SC/ST Act was rejected.

Allegations against the appellants is of abusing, assaulting by lathi. It is further alleged that accused persons threatened the informant to put him on fire.

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 specific allegation of assault is attributed to the appellant. No offence is made out under the provisions of the SC/ST Act against them. He has got no criminal antecedent. Appellant is languishing in judicial custody since 10.06.2022.

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 02.09.2022 passed in Special Case No. 74 of 2022 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Bikram P.S. Case No. 224 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 Special Judge SC/ST Act, Patna.

(Sunil Kumar Panwar, J)

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