

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL APPEAL (SJ) No.4134 of 2023**

Arising Out of PS. Case No.-212 Year-2023 Thana- AHIYAPUR District- Muzaffarpur

Ranjeet Rai Son Of Late Lal Babu Rai Resident Of Village- Bhagwatipur, Ps-  
Ahiyapur, Dist- Muzaffarpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Kaushalya Devi Wife Of Rambriksha Paswan Resident Of Village- Chak  
Mahammad, Panchayat, Bara Jagannath, Ps- Ahiyapur, Distt- Muzaffarpur

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr.Raju Kumar

For the Respondent/s : Mr.Sadanand Paswan

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR  
ORAL ORDER**

2      16-10-2023                      Heard learned counsel for the appellant, learned  
Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellant against the order dated 21.08.2023 passed by learned Special Court, SC/ST (POA) Act, Muzaffarpur whereby the prayer for bail of the appellant in connection with Ahiyapur P.S. Case no. 212 of 2023 under Sections 341, 323, 307 and 34 of the Indian Penal Code and sections 3(1) (r) (s) of SC/ST Act was rejected.

3. Allegation against the appellant is to assault the son of the informant along with other co-accused persons due to which he sustained injuries.



4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to previous election dispute and dirty village politics. He has not taken the caste name of the informant in public view. No offence is made out under the provisions of the SC/ST Act against him. No any specific overt act has been levelled against the appellant rather general and omnibus allegation has been attributed against all the accused persons including this appellant. There is delay of eight days in lodging the FIR without any explanation. There is no eye witness of the alleged occurrence. Similarly situated other co-accused person has already been granted bail by co-ordinate Bench of this Court vide Annexure-3 of this petition. Moreover, the appellant is languishing in judicial custody since 14.07.2023.

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 appellant, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 21.08.2023 is hereby set aside.



7. The appellant is directed to be enlarged on bail in connection with Ahiyapur P.S. Case No. 212 of 2023 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. Court, SC/ST(POA) Act, Muzaffarpur.

**(Sunil Kumar Panwar, J)**

Shubham/-

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