

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4145 of 2022

Arising Out of PS. Case No.-485 Year-2013 Thana- WAJIRGANJ District- Gaya

ANUJ YADAV @ RAMANUJ PRASAD YADAV Son of Late Rupan Yadav
R/v- Thekahi, P.S.- Fatehpur, District- Gaya Appellant/s
Versus

The State of Bihar Respondent/s

Appearance :

For the Appellant/s : Mr.Sudhir Kumar Sinha

For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-03-2023 Heard learned counsel for the appellant, learned counsel
for the informant learned Special Public Prosecutor for the State.

The instant appeal has been filed by the appellant against the order dated 03.11.2022 passed by learned Exclusive Special Judge SC/ST, Gaya, whereby the prayer for bail of the appellant in connection with Wazirganj P.S. Case no. 485 of 2013 under Sections 147, 148, 149, 323, 447, 307, 504 and 506 of the Indian Penal Code, Section 27 of the Arms Act and section 3(i)(x) of SC/ST Act was rejected.

Allegations against the appellant is of abusing and opening fire upon the informant as a result of which he sustained bullet injury on his body.

It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to previous enmity. He has 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. No one is eye witness of the alleged occurrence. No



specific overt act is attributed against the petitioner. The matter has been compromised between the parties and in support of this compromise petition is annexed as Annexure 2 to this petition. Appellant is languishing in judicial custody since 26.04.2022.

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 petitioner and the matter has been compromised between the parties, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 03.11.2022 passed in Wazirganj P.S Case No. 485 of 2013 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Wazirganj P.S. Case No. 485 of 2013 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 Exclusive Special Judge SC/ST Act, Gaya.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

