

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4703 of 2023

Arising Out of PS. Case No.-155 Year-2022 Thana- SASARAM MUFFSIL District- Rohtas

VINDHYACHAL YADAV son of Girija Yadav Village- Dhankarha Po-
Dhaurar Ps- Sasaram Mufassil Dist- Rohtas

... .. Appellant/s

Versus

1. The State of Bihar
2. Pratima Devi wife of Wakil Ram village- Dhankarha Po- Dhaurar Ps-
Sasaram Mufassil Dist- Rohtas

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shashikant
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-11-2023 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellant against the order dated 13.9.2023 passed by learned A.D.J. XVII-cum-Exclusive Special Judge, SC/ST, Rohtas whereby the prayer for bail of the appellant in connection with Sasaram (Muffasil) P.S. Case no. 155 of 2022 under Sections 147, 148, 149, 302, 323, 504, 506, 120(B) of the Indian Penal Code, section 27 of the Arms Act and sections 3(2)(v) of SC/ST Act was rejected.

3. According to prosecution case, it is alleged that the appellant is indulged in hatching conspiracy to commit murder



of the husband of the informant in connivance with other accused persons.

4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to dirty village politics. There is general and omnibus allegation of assaulting leveled against the appellant. The specific overt-act of firing at the husband of the informant is attributed to co-accused Anil Singh Yadav. The appellant has not taken the caste name of the informant in public view as such, no offence is made out under the provisions of the SC/ST Act against him. Moreover, he is languishing in judicial custody since 4.8.2023.

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 13.9.2023 passed in Sasaram (Muffasil) P.S. Case no. 155 of 2022 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Sasaram (Muffasil) P.S. Case no. 155 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 A.D.J. XVII-cum-Exclusive Special Judge, SC/ST,
Rohtas.

(Sunil Kumar Panwar, J)

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