

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4784 of 2023

Arising Out of PS. Case No.-358 Year-2023 Thana- JAGDISHPUR District- Bhagalpur

Chandan Yadav Son Of Bholi Yadav @ Bohli Yadav Resident Of Village -
Bhojpur, Police Station - Goradih, District - Bhagalpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Gita Devi Wife Of Pankaj Paswan Resident Of Village - Bhojpur, Police
Station - Goradih, District - Bhagalpur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Praveen Kumar

For the Respondent/s : Mr.Sadanand Paswan

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 22.9.2023 passed by learned Additional Sessins Judge -III-Cum-Special Judge (SC/ST), Bhagalpur, whereby the prayer for bail of the appellant in connection with Jagdishpur (Garadih) P.S. Case no. 358 of 2023 under Section 147, 148, 149, 341, 323, 307, 327, 329, 504, 506 of the Indian Penal Code and sections 3(I)(r)(s) of SC/ST Act was rejected.

3. According to prosecution case, the appellant along with other accused persons are alleged to have assaulted the informant as well as his son and husband due to which, they



sustained injuries.

4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to dirty village politics. General and omnibus allegation has been made against the appellant. 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. The appellant has got no criminal antecedent as stated in para-3 of the bail petition and 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 22.9.2023 passed in Jagdishpur (Garadih) P.S. Case no. 358 of 2023 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Jagdishpur (Garadih) P.S. Case no. 358 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 Additional Sessins Judge -III-Cum-Special Judge
(SC/ST), Bhagalpur.

(Sunil Kumar Panwar, J)

Amandeep/-

U		T	
---	--	---	--

