

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4336 of 2022

Arising Out of PS. Case No.-15 Year-2022 Thana- PALIGANJ District- Patna

ADARSH KUMAR @ CHINTU PANDEY SON OF BINODA NAND
PANDEY @ VINODA NAND PANDEY R/O VILL.- KODIHARA, P.S.-
KHIRIMOR, DISTT.- PATNA, AT PRESENT RESIDING NEAR
RAMLAKHAN COLLEGE, P.S.- PALIGANJ, DISTT.- PATNA

... .. Appellant/s

Versus

1. The State of Bihar
2. Deepak Kumar Birendra Baitha Resident of Shanti Nagar, P.S.- Paliganj,
District- Patna

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ajay Mishra
For the Respondent/s : Mr.Sadanand Paswan

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

- 3 02-05-2023 Heard learned counsel for the appellant as well as the
learned counsel for the informant.

This appeal has been preferred on behalf of the appellant under Section 14 (A) (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 for setting aside the order dated 02.11.2022 passed by the learned Exclusive Special Court (SC/ST) Act, Patna, in connection with Paliganj P.S. Case No. 15 of 2022 registered for offence punishable under sections 341, 504, 384, 307, 34 of the Indian Penal Code and sections 3 (i) (r) (s) of the SC/ST Act and under Section 27 Arms Act, whereby the prayer for bail of the appellant has been rejected.

As per allegation, the appellant ordered and Sachin



Kumar fired at the leg of the informant and he became injured.

The learned counsel for the appellant has submitted that there is no allegation against the appellant of firing at the leg of the informant. He is innocent and has falsely been implicated. The allegation against the appellant of being order giver is false. He is under custody since 18.07.2022.

On the other hand, the learned counsel for the informant has opposed the prayer for bail and submitted that the petitioner is order giver, as such, he does not deserve the privilege for bail.

Considering the above-mentioned facts and circumstances, the appeal is allowed and the impugned order dated 02.11.2022 is set aside.

Accordingly, the appellant, above-named, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, (SC/ST) Act, Patna in connection with Paliganj P.S. Case No. 15 of 2022.

(Nawneet Kumar Pandey, J)

Sudha/Sonali

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