

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4446 of 2022**

Arising Out of PS. Case No.-461 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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DHARAMVIR THAKUR @ DHARMVIR KUMAR S/o Mantun Thakur R/o
Village- Naula, P.S.- Bhagwanpur, Distt- Begusarai.

... .. Appellant/s

Versus

1. The State of Bihar
2. Shaligram Paswan S/o Satdeo Paswan @ Paidal Paswan R/o village- Gara,
Ward no. 01, P.S.- Bhagwanpur, Distt- Begusarai.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr.Anshu Dhar Sharma
For the Respondent/s	:	Mr.Binay Krishna
For the Informant	:	Mr.Ajay Kumar Sinha

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

ORAL ORDER

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

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 for setting aside the order dated 13.12.2022 passed by the learned Exclusive Special Judge, SC/ST (POA), Begusarai arising out of Begusarai Muffasil P.S. Case No. 461 of 2021, registered for the offences punishable under Sections 341, 307, 34 of the Indian Penal Code read with Section 3 (2), (v), (R), (S) of SC and ST (Prevention of Atrocities) Act and under section 27 of the Arms



Act, whereby the prayer for bail of the appellants has been rejected.

As per allegation, when the informant, after release on bail in Bhagwanpur P.S. Case No. 148 of 2019 was going to his house, three named accused persons including the petitioner stopped him. Co-accused Vikash Sahni fired shot, which hit the injured Ranvir Yadav. Thereafter, the appellant also opened fire.

The learned counsel for the appellant has submitted that there is allegation of opening fire on this appellant but from his fire, none has suffered any injury. He has submitted further that co-accused Ajay Mahto has been granted bail by a coordinate Bench of this Court in Criminal Appeal (SJ) No. 4174 of 2022. He has also submitted that good relations have been restored between the parties and they have comprised the case. The injured Ranvir Yadav has filed his affidavit in which he did not name the appellant. He did not make any allegation against him.

On the other hand, the learned counsel for the informant has opposed the prayer for bail and submitted that good relations have been restored between the parties and they are living in cordial atmosphere.

Considering the above-mentioned facts and



circumstances, the appeal is allowed and the impugned order dated 13.12.2022 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 (POA), Begusarai in connection with Begusarai Muffasil P.S. Case No. 461 of 2021.

(Nawneet Kumar Pandey, J)

Kundan/Nirmal

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