

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.2027 of 2024**

Arising Out of PS. Case No.-18 Year-2022 Thana- GAYA MUFASIL District- Gaya

Butta Paswan @ Pradeep Paswan S/o Arvind Paswan R/o vill - Chotki  
Nawada, Devi Asthan, P.s. - Delha, Distt. - Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Akhilesh Chaudhary S/o Late Sonu Chaudhary R/o Mohalla - Manpur,  
Kumhartoli, Near Gandhinagar More, P.S. - Muffasil, Distt. - gaya

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr.Rabindra Kumar Priyadarshi

For the Respondent/s : Mr.Usha Kumari 1

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      02-07-2024                      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 19.3.2024 passed by learned Exclusive Special Judge SC/ST Special Court, Gaya whereby the prayer for bail of the appellant in connection with Muffasil P.S. Case no. 18 of 2022 registered under Sections 364, 302,34 of the Indian Penal Code and sections 3(ii)(v) of SC/ST Act was rejected.

3. As per allegation in the FIR, son of the informant had gone for taking hair cut and seven accused persons including the petitioner have caught him and taken him to the



bank of river and killed him by assaulting.

4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to dirty village politics. No specific allegation of assault is attributed to the appellant. General and omnibus allegation levelled against him. No offence is made out under the provisions of the SC/ST Act against him. Appellant is languishing in judicial custody since 10.01.2024. Moreover, similarly situated several co-accused persons have already been granted bail by this Court and co-ordinate Bench of this Court.

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 19.3.2024 passed in Muffasil P.S. Case No. 18 of 2022 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Muffasil P.S. Case No. 18 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 Exclusive Special Judge SC/ST, Special Court,  
Gaya.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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