

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2166 of 2024

Arising Out of PS. Case No.-212 Year-2022 Thana- SANDESH District- Bhojpur

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1. Ranjan Chaudhary @ Rajan Kumar Son of Mr. Sanjay Chaudhary Resident of Village - Kori, P.S.- Sandesh, District - Bhojpur
 2. Bhuta Chaudhary @ Sonu Chaudhary @ Sonu Kumar Son of Mr. Ajay Chaudhary Resident of Village - Kori, P.S.- Sandesh, District - Bhojpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Ram Ishwar Paswan Son of Sri Bhawnath Paswan Resident of Village - Kori, P.S.- Sandesh, District - Bhojpur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Vaishnavi Singh
For the Respondent/s : Mrs.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 25-06-2024 Heard learned counsel for the appellants and learned
APP for the State.

2. The appellants have prayed for bail in a case registered for the offence punishable under sections 147, 148, 149, 341, 323, 427, 302 of the Indian Penal Code, Section 27 of the Arms Act and sections 3(2)(V) of the SC/ST (POA) Act.

3. As per FIR, when the informant was at his house, the accused persons including the appellants came and started assaulting and abusing informant and his family members. During course of this incident, co-accused namely, Sanjay Chaudhary fired the informant's son thereafter, he was taken to



hospital where doctor declared him dead.

4. It is submitted by learned counsel for the appellants that appellants have been falsely implicated in this case due to previous dirty village politics. From perusal of FIR, it appears that the specific allegation is against co-accused namely, Sanjay Chaudhary who shot fired upon the informant's son Haresh Paswan due to which he died. It is further submitted that general and omnibus allegation of assaulting leveled against these appellants. No offence is made out under the provisions of the SC/ST Act against them as the appellants have not taken the caste name of the informant in public view and they had no intention to disgrace his image. Similarly situated other accused person has already been enlarged on bail by this Court vide order dated 12.07.2023 passed in Cr. Misc. No. 13134 of 2023. The appellants are languishing in judicial custody since 30.03.2024.

5. The appeal for bail is opposed by learned Spl. P.P. for the State and learned counsel for the informant.

6. Having heard learned counsel for the parties and taking into consideration that there is general and omnibus allegation against the appellants, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the



impugned order dated 9.4.2024 passed in B.P. No. 1405 of 2024
are hereby set aside.

7. The appellants are directed to be enlarged on bail
in connection with Sandesh P.S. Case No. 212 of 2022 on
furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only)
each with two sureties of the like amount each to the satisfaction
of the learned 1st Additional Sessions Judge-cum-Special Judge,
SC/ST Act, Bhojpur at Ara.

(Sunil Kumar Panwar, J)

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