

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2829 of 2024**

Arising Out of PS. Case No.-133 Year-2023 Thana- UJIYARPUR District- Samastipur

Md. Imteyaz Son of Md. Shakir R/O Vill.- Satanpur, P.S.- Ujiyarpur, Dist.-
Samastipur

... .. Appellant/s

Versus

1. The State Of Bihar Patna
2. Dinesh Das Son of Late Chalitar Das R/O Vill.- Satanpur, P.S.- Ujiyarpur,
Dist.- Samastipur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Shubhesh Pandey
For the Respondent/s : Mr.Sadanand Paswan

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

2 02-08-2024 Heard learned counsel for the appellant, learned
counsel for the informant and learned Special Public
Prosecutor for the State.

2. The instant appeal has been filed by the appellants against the order dated 06.05.2024 passed by learned Special Judge, SC/ST (POA) Act, Samastipur whereby the prayer for bail of the appellants in connection with Ujiyarpur P.S. Case no. 133 of 2023 under Sections 341, 384, 387, 427, 504, 506, 307 and 34 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3(1)(r)(s) and 3(2)(va) of SC/ST Act was rejected.

3. As per F.I.R., the allegation against the appellant



and other co-accused is that they demanded extortion from the informant and abused him and his labourers and damaged the articles. It is further alleged that accused Vikram Giri opened fired two rounds on the informant by pistol but the bullet could not hit on the informant.

4. It is submitted by learned counsel for the appellant that appellant is innocent and has committed no offence. He has been falsely implicated in this case due to dirty village politics. Neither the informant was caused any grievous injury nor on demand, he delivered any property. During course of investigation, there is no direct evidence against the appellant. No one has sustained injury in this case. He hasnot taken the caste name of the informant in public view. No offence is made out under the provisions of the SC/ST Act against them. Moreover, the appellant is languishing in judicial custody since 25.01.2024. Similarly situated several co-accused persons have been granted bail vide order dated 11.01.2024 by this Court.

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 appellant, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 06.05.2024 is hereby set aside.

7.The appellant is directed to be enlarged on bail in connection with Ujiyarpur P.S. Case No.133 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 Special Judge, SC/ST(POA) Act, Samastipur.

(Sunil Kumar Panwar, J)

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