

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3977 of 2023

Arising Out of PS. Case No.-38 Year-2023 Thana- NARKATIYAGANJ RAIL P.S. District-
West Champaran

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AMIT DUBEY @ ARNAV ANAND S/O VINAY DUBEY @ VINAY
DWIVEDI VILLAGE- HARDIYA CHOWK PS SHIKARPUR DISTRICT
WEST CHAMPARAN

... .. Appellant/s

Versus

1. The State of Bihar
2. PAPPU KUMAR SAXENA SON OF LATE CHANDRADEEP RAM
VILLAGE- MURLI BHARWA, PS- GAUNAHA, DIST- WEST
CHAMPARAN

... .. Respondent/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 04-01-2024 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 08.08.2023 passed by learned Additional District and Session Judge-1-cum-Special Judge (SC/ST Act), Bettiah, West Champaran whereby the prayer for bail of the appellant in connection with Narkatiyaganj Rail P.S. Case No. 38 of 2023 under Sections 341, 342, 323, 324, 307, 379, 326/34 of the Indian Penal Code and Section 3(i)(r)(s) of the SC/ST Act was rejected.

3. The allegation against the appellant along with



others is of assaulting the brother of the informant by means of knife, due to which he sustained injury.

4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. There is general and omnibus allegation against the appellant. He submitted that as per injury report, informant's brother has received simple injuries caused by sharp objects. He has not taken the caste name of the informant in public view. No offence is made out under the provisions of the SC/ST Act against him. The appellant has no intention to disgrace the image of the informant in public view. He is languishing in judicial custody since 25.05.2023.

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, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 08.08.2023 arising out of Narkatiyaganj Rail P.S. Case No. 38 of 2023 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Narkatiyaganj Rail P.S. Case No. 38 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 Additional District and Session Judge-1-cum-Special
Judge (SC/ST Act), Bettiah, West Champaran.

(Sunil Kumar Panwar, J)

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