

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4126 of 2023

Arising Out of PS. Case No.-102 Year-2023 Thana- SASARAM MUFFSIL District- Rohtas

Raviranjana Yadav @ Chhotu Yadav Son Of Bimlesh Yadav @ Vimlesh Singh
R/O Village-Baharar, P.S.-Sasaram(M), District-Rohtas.

... .. Appellant/s

Versus

1. The State of Bihar
2. Vikash Kumar Son Of Bramhdeo Paswan R/O Village-Baharar, P.S.-
Sasaram(M), District-Rohtas.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Siddharth Harsh
For the Respondent/s	:	Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 08-02-2024 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 22.08.2023 passed by

learned Additional District Judge-XVII-cum- Exclusive

Special Judge, SC/ST Act, Rohtas at Sasaram whereby the

prayer for bail of the appellant in connection with Sasaram

(M) P.S. Case no. 102 of 2023 under Sections 302/34 of

the Indian Penal Code, Section 27 of the Arms Act and

sections 3(i)(va)/3(i)(r)(s) of SC/ST Act was rejected.

3. It is a case of commission of murder of the

informant's brother namely, Pintu Paswan by the named



accused persons including the appellant by means of fire arm.

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 merely on the basis of suspicion that his muffler was lying beside the dead body. General and omnibus allegation has been levelled against the appellant. There is no eye witness of the alleged occurrence. Except the suspicion, there is no other material or consistent evidence has come against the appellant which shows his complicity in the alleged occurrence. It is further submitted that the alleged Muffler does not belong to the appellant and the same has been implanted by the informant only with a view to drag the appellant in the present case. No incriminating article has been recovered from his conscious possession. 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. Moreover, the appellant is languishing in judicial custody since 15.04.2023. Similarly situated co-



accused persons have been granted bail 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 22.08.2023 is hereby set aside.

7.The appellant is directed to be enlarged on bail in connection with Sasaram (M) P.S. Case no. 102 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 Judge-XVII-cum- Exclusive Special Judge, SC/ST Act, Rohtas at Sasaram.

(Sunil Kumar Panwar, J)

Nirajkrs/-

U		T	
---	--	---	--

