

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No. 4211 of 2023**

Arising Out of PS. Case No.-60 Year-2022 Thana- ANGARGHAT District- Samastipur

Pankaj Kumar @ Shooter Son Of Shatrudhan Ray Village- Supoul, Ps-
Angarghat, Distt- Samastipur

... .. Appellant/s

Versus

1. The State of Bihar
2. Sarovari Devi Wife Of Late Ram Bharosh Paswan Resident Of Village-
Ward No 7 Dadhia Aradhar, Ps- Angarghat, Dist- Samastipur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Mukesh Kumar No1
For the Respondent/s : Mr.Sadanand Paswan

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

4 11-01-2024 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 01.08.2023 passed by learned Court of Special Judge, SC/ST (POA) Act, Samastipur whereby the prayer for bail of the appellant in connection with Angaarghat P.S. Case no. 60 of 2022 under Sections 302, 120B and 34 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(2)(va) of SC/ST Act was rejected.

3. As per prosecution case, the informant got an information that her husband has been killed by some unknown persons at S.H.-55 when he went to watch the



orchard.

4. It is submitted by learned counsel for the appellant that appellant is innocent has been falsely implicated in this case. He is not named in the F.I.R. and his name transpires during investigation on the basis of confessional statement of co-accused Ajay Thakur and Baiju Rai. During investigation, no consistent evidence has come against the appellant to show his complicity in the present occurrence. 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 other co-accused Baiju Rai has already been granted bail by another co-ordinate Bench of this court vide order dated 23.06.2023 passed in Cr. Appeal (SJ) No. 1289 of 2023. Moreover, the appellant is languishing in judicial custody since 12.01.2023.

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 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 01.08.2023 is hereby set aside.



7.The appellant is directed to be enlarged on bail in connection with Angarghat P.S. Case No. 60 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 Court of Special Judge, SC/ST (POA) Act, Samastipur.

(Sunil Kumar Panwar, J)

lata/-

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

