

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4449 of 2023

Arising Out of PS. Case No.-509 Year-2022 Thana- TRIVENIGANJ District- Supaul

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Juman Pamriya @ Md. Nasim Alam @ Nashim Pamriya Son Of Md. Majlum Pamriya @ Mohhamad Majalum Resident Of Village Pratappur Police Station Tribeniganj, Distt - Supaul

... .. Appellant/s

Versus

1. The State of Bihar
2. Mukesh Kumar Son of Late Mahendra Ram R/o vill - Dabhawan, P.S - Pratappur, P.s - Tribeniganj, Distt. - Supaul

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Arun
For the Respondent/s : Mr.Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 11-01-2024 Heard learned counsel for the appellant and

learned Special P.P for the State.

The appellant has challenged the order dated 13.07.2023 passed by learned Additional Sessions Judge-I-cum-Special Judge, SC/ST Act, Supaul in connection with SC/ST Case No. 126 of 2022, arising out of Tribeniganj P.S. Case No. 509 of 2022 instituted for the offences punishable under Sections 302/34 of the Indian Penal Code and Sections 3(2)(v) of the SC/ST Act whereby his prayer for being released on bail



has been rejected.

It is alleged against the appellant that he assaulted with lathi to the father of the informant, as a result of which, he fell on the ground and died.

It is submitted by learned counsel for the appellant that appellant is innocent and he has falsely been implicated in this case. From perusal of the postmortem report, it appears that doctor has not found any external or internal injury on the person of the deceased. The appellant has been made accused in this case due to some old dispute. The appellant is in custody since 15.11.2022. A statement has been made in para 3 of the petition that appellant has clean antecedent.

In contra, learned Special P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the appellant.

Taking into account the aforesaid facts, this Court deems it appropriate to set aside the order dated 13.07.2023.



Accordingly, this appeal is allowed.

The appellant, above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I-cum-Special Judge, SC/ST, Supaul in connection with SC/ST Case No. 126 of 2022, arising out of Tribeniganj P.S. Case No. 509 of 2022.

(Sunil Kumar Panwar, J)

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