

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.5013 of 2023**

Arising Out of PS. Case No.-288 Year-2023 Thana- SONO District- Jamui

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Jamlu Mian @ Jamaludin Mian Son Of Alijan Mian Resident Of Village -  
Paira, Police Station - Sono, District - Jamui

... .. Appellant/s

Versus

1. The State of Bihar
2. Nand Kishore Das Son Of Shivnarayan Das Resident Of Village - Paira,  
Police Station - Sono, District - Jamui

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Akhauri Kamal Kishore Sahay

For the Respondent/s : Mr. Binay Krishna

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

3      12-01-2024                      Heard learned counsel for the appellant, learned  
Special Public Prosecutor for the State.

3. The instant appeal has been filed by the appellant against the order dated 3.10.2023 passed by learned A.D.J.-I-cum-Spl. Judge SC/ST (POA) Act, Jamui whereby the prayer for bail of the appellant in connection with Sono P.S. Case no. 288 of 2023 under Sections 341, 323, 337, 354, 379, 504, 506/34 of the Indian Penal Code and sections 3(1)(r)(s), 3(2)(va) of the SC/ST Act was rejected.

4. AS per allegation in the FIR, informant is mason and he refused to work in the house of accused Riyaz Ansari because of his earlier wages were not paid to him, thereafter



several accused persons assaulted to the entire family members of the informant. Specific allegation against the appellant is of assaulting to informant's mother and disabled sister. It is further alleged that he and two other accused persons outraged her modesty.

4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to dirty village politics. General and omnibus allegation has been levelled against the appellant. Informant has not sustained any injury. He has not taken the cast name of the informant in public view. No offence is made out under the provisions of the SC/ST Act against them. He has got no criminal antecedent and languishing in judicial custody since 16.09.2023.

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 3.10.2023 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Sono P.S. Case No. 288 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 ADJ-I-cum Spl. Judge Sc/ST (POA) Act, Jamui.

(Sunil Kumar Panwar, J)

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