

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5166 of 2023

Arising Out of PS. Case No.-507 Year-2022 Thana- BODHGAYA District- Gaya

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1. Raj Aryan @ Sachin Yadav @ Raj Aryan Yadav Son Of Rohan Yadav Resident Of Village- Sijua, P.S.- Bodhgaya, District- Gaya
 2. Rohan Yadav Son Of Late Jetal Yadav Resident Of Village- Sijua, P.S.- Bodhgaya, District- Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Shankar Manjhi Son Of Not Known Resident Of Village- Paschimi Nama, P.S.- Bodh Gaya, District- Gaya.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Shrishti Singh
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-01-2024

Heard learned counsel for the appellants, learned Special Public Prosecutor for the State and learned counsel for the informant.

The instant appeal has been filed by the appellants against the order dated 12.10.2023 passed by learned Exclusive Special Judge, SC/ST, Gaya whereby the prayer for bail of the appellants in connection with Bodh Gaya P.S. Case no. 507 of 2022 under Sections 147, 148, 149, 349, 323, 504 and 506 of the Indian Penal Code, Section 27 of the Arms Act and sections 3(1)(r)(s), 3(2)(v-a) of SC/ST Act was rejected.



Allegations against the appellants is that they assaulted the informant along with his members and also they fired upon them due to which they sustained injuries.

It is submitted by learned counsel for the appellants that appellants have been falsely implicated in this case due to land dispute. They have 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 them. Compromise has been made between both the parties. Moreover, they are languishing in judicial custody since 18.08.2023 and 20.09.2023 respectively.

Learned counsel for the informant submitted that good sense has been prevailed between the parties for which she has submitted compromise petition before this Court.

Having heard learned counsel for the parties and taking into consideration that there is general and omnibus allegation against the appellants, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 12.10.2023 is hereby set aside.

The appellants are directed to be enlarged on bail in connection with Bodh Gaya P.S. Case No. 507 of 2022 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only)



each of them with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, SC/ST, Gaya.

(Sunil Kumar Panwar, J)

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