

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5283 of 2023

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

Pran Yadav @ Pran Kumar Son Of Shankar Singh @ Shanker Yadav @
Shankar Singh Yadav, Resident Of Village- Baharar, Ps- Sasaram
(MUFFASIL), Dist- Rohtas At Sasaram

... .. Appellant/s

Versus

1. The State Of Bihar
2. Vikash Kumar Son Of Sh. Bramdeo Paswan Resident Of Village- Baharar,
Ps- Sasaram (muffasil), Dist- Rohtas At Sasaram

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Chhote Lal Mishra
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 appellant, learned
Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellant against the order dated 26.08.2023 passed by learned I/C A.D.J. XVII-cum-Exclusive Special Judge SC/ST, Rohtas at Sasaram whereby the prayer for bail of the appellant in connection with Sasaram Muffasil P.S. Case no. 102 of 2023 under Sections 302 and 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 appellant



along with other co-accused persons.

4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to village politics. 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. Nothing specific allegation has been levelled against the appellant rather general and omnibus allegation has been attributed against him. No eye witness of the alleged occurrence. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 02.11.2023 in Cr. APP(SJ) No. 3399 of 2023. Moreover, the appellant is languishing in judicial custody since 05.03.2023.

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 26.08.2023 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Sasaram Muffasil 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 I/C A.D.J. XVII-cum-Exclusive Special Judge SC/ST Rohtas at Sasaram.

(Sunil Kumar Panwar, J)

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