

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5526 of 2023**

Arising Out of PS. Case No.-73 Year-2023 Thana- SHRI NAGAR District- Madhepura

Ravindra Yadav S/O Late Deonarayan Yadav R/O Village- Israin Kala, Tola
Andi Patti, Ward No. 10, P.S- Srinagar, Distt.- Madhepura.

... .. Appellant/s

Versus

1. The State of Bihar
2. Indradeo Rishideo S/O Late Tunay Rishideo R/O Israin Kala Tola, Andi Patti, Ward No. 10, P.S- Srinagar, Distt.- Madhepura.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Dinesh Verma
For the Respondent/s : Mr.Sadanand Paswan

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

3 08-02-2024 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 11.10.2023 passed by learned Additional Sessions Judge 1st cum Special Judge (SC/ST) Act, Madhepura whereby the prayer for bail of the appellant in connection with Srinagar P.S. Case no. 73 of 2023 under Sections 341, 323, 379, 307, 354(B), 384, 504, 506 and 34 of the Indian Penal Code and sections 3(1) (r) (s), 3(2) (va) of SC/ST Act was rejected.

3. Allegation against co-accused persons is that they came at the house of the informant and assaulted the



informant's along with his family members due to which they sustained injuries and the reason behind this as alleged occurrence is said to be land dispute. It is further alleged against this appellant is that he abused them by calling their caste name and also misbehaved with the informant's wife.

4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to land dispute. 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. There is no specific overt act of assault against the appellant rather co-accused assaulted the informant along with his family members. Only allegation against the appellant is that he misbehaved with the informant's wife and abused her. A statement has been made in para-3 of this petition that the appellant has got no criminal antecedent. Moreover, he is languishing in judicial custody since 17.08.2023.

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 11.10.2023 is hereby set aside.

7.The appellant is directed to be enlarged on bail in connection with Srinagar P.S. Case No. 73 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 Additional Sessions Judge 1st cum Special Judge (SC/ST) Act, Madhepura.

(Sunil Kumar Panwar, J)

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