

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.129 of 2024

Arising Out of PS. Case No.-481 Year-2023 Thana- MASAUDHI District- Patna

Arvind Yadav Son of Late Ramlagan Yadav Resident of Village Chapaur,
Police station Masaurhi, District Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Munglal Chaudhary Son of Late Nagina Lal Chaudhary Resident of village
Chapaur, Police station Masaurhi, District Patna

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ravi Shanker Pankaj
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-02-2024 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellant against the order dated 11.12.2023 passed by learned Exclusive Special Judge, SC/ST Act, Patna whereby the prayer for bail of the appellant in connection with Masaurhi P.S. Case no. 481 of 2023 under Sections 341, 323, 307, 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 the appellant is that he assaulted the informant's son and his nephew by means of iron rod on their head due to which they sustained injuries.

4. It is submitted by learned counsel for the appellant



that appellant has been falsely implicated in this case due to land related dispute between the parties. 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. Moreover, the appellant is languishing in judicial custody since 25.11.2023.

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 the fact of this case, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 11.12.2023 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Masaurhi P.S. Case No. 481 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 Exclusive Special Judge, SC/ST Act, Patna.

(Sunil Kumar Panwar, J)

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