

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3440 of 2024

Arising Out of PS. Case No.-134 Year-2024 Thana- PAROO District- Muzaffarpur

Bhagya Narayan Sahani Son of Late Maharaj Sahani R/O Vill.- Kairiya,
Khash, P.s.- Paroo, Dist.- Muzaffarpur.

... .. Appellant/s

Versus

1. The State of Bihar
2. Ravindra Paswan Son of Mahendra Paswan R/O Vill.- Gaddopur, P.s.-
Paroo, Dist.- Muzaffarpur.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Alok Kumar Alok, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, SPP
For the Informant	:	None

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

7 28-07-2025 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State. Perused the case diary.

2. The instant appeal has been filed by the appellant against the order dated 01.07.2024 passed by learned Special Judge, SC/ST (PoA) Act, Muzaffarpur whereby the prayer for bail of the appellant in connection with Paroo P.S. Case No. 134 of 2024 under Sections 147, 148, 149, 341, 323, 324, 307, 504, 506 of the Indian Penal Code and Section 3(i)(r)(s) of SC/ST Act was rejected.

3. The accusation against the accused persons including the appellant is of inflicting serious injuries to the informant and his brother by hitting them by means of *lathi-*



danda, bhala and farsa on their heads.

4. Learned counsel for the appellant submits that the appellant has falsely been implicated in the present case. Learned counsel further submitted that there is no specific allegation against the appellant, rather the same is general and omnibus in nature. There is case and counter-case between the parties. Learned counsel further submitted that the alleged occurrence took place at the spur of the moment agitated by the informant side. Learned counsel for the appellant further submits that the appellant has not taken the caste name of the informant in public view, hence, no offence under the provisions of SC/ST Act is made out against him. The appellant has no intention to disgrace the image of the informant in public view. The appellant is in custody since 14.06.2024 and has no criminal antecedent. The co-accused person has already been granted bail by this Court vide order dated 18.01.2025 passed in Cr. Appeal (SJ) No. 4954 of 2024.

5. Learned Special P.P. for the State vehemently opposed the prayer for grant of bail to the appellant.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity and the period of custody undergone by the appellant, this Court is inclined to allow this



appeal. Accordingly, the appeal is allowed and order dated - 01.07.2024 passed by learned Special Judge, SC/ST (PoA) Act, Muzaffarpur in connection with Paroo P.S. Case No. 134 of 2024 is hereby set aside.

7. Let the appellant, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Paroo P.S. Case No. 134 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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