

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5069 of 2024**

Arising Out of PS. Case No.-14 Year-2024 Thana- WARISLIGANJ District- Nawada

Sandeep Yadav @ Sandeep Kumar Son of Surendra Yadav R/o Vill.- Jhour,
P.O.- Kochgawan, P.s.- Warisaliganj, Dist.- Nawada

... .. Appellant/s

Versus

1. The State of Bihar
2. Fulwa Devi Wife of Rajendra Pasi R/O Vill.- Mosma, P.s.- Warisaliganj,
Dist.- Nawada

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Jitendra Kumar, Adv.
For the Respondent/s	:	Ms. Usha Kumari 1, SPP
For the Informant	:	Mr. Krishna Deo Raj, Adv.

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

ORAL ORDER

6 06-03-2025 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State and learned counsel for
the informant. Perused the case diary.

2. The instant appeal has been filed by the appellant
against the order dated 27.09.2024 passed by learned Special
Judge, Exclusive Special Court, SC/ST (POA) Act, Nawada
whereby the prayer for bail of the appellant in connection with
Warisliganj P.S. Case No. 14 of 2024 under Sections 324/307/34
of the I.P.C., Section 27 of the Arms Act and Section 3(2)(v) of
SC/ST (POA) Act was rejected.

3. As per prosecution case, the accusation against the
appellant is of firing upon the Informant's husband due to which



he sustained gun-shot injury on his chest.

4. Learned counsel for the appellant submits that the appellant is innocent and has has falsely been implicated in the present case. There is an admitted land dispute between the respondent no.2 and the co-accused Siya Sharan Yadav with whom the appellant has no concern. The Investigating Officer, after completion of investigation, has submitted charge-sheet under Sections 324/307/34 of the I.P.C., Section 27 of the Arms Act and Sections 3(1)(r)(g)/3(2)(v) of SC/ST (POA) Act. The appellant is in custody since 24.06.2024 and has no criminal antecedent.

5. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the appellant, stating that the injury report supports the prosecution case and the injury sustained by the injured is grievous in nature.

6. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the appellant as also the appellant having no criminal antecedent, this Court is inclined to allow this appeal. Accordingly, the appeal is allowed and order dated 27.09.2024 passed by learned Special Judge, Exclusive Special Court, SC/ST (POA) Act, Nawada 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 Warisliganj P.S. Case No. 14 of 2024.

(Rudra Prakash Mishra, J)

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