

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5534 of 2024

Arising Out of PS. Case No.-572 Year-2024 Thana- FATUA District- Patna

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Sachin Kumar @ Sachin Yadav S/o- Binod Yadav Village- Ranipur P.S.-
Fatuha Dist- Patna.

... .. Appellant/s

Versus

1. The State of Bihar
2. Kavita Devi W/o- Lalbahadur Paswan Village- Ranipur P.S.- Fatuha Dist-
Patna.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Pramod Kumar, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 14-02-2025 Heard the parties.

2. Appellant seeks regular bail, in connection with
Fatuha P.S. Case No. 572 of 2024, registered for the offences
punishable under Sections 126(2), 115(2), 103(1), 352, 61(2) of
B.N.S. and Section 27 of the Arms Act and 3(1)(r)(s)/3(2)(v) of
the Schedule Caste and Schedule Tribe (Prevention of
Atrocities) Act.

3. As per the prosecution case, on 22.08.2024 at about
06:30 P:M, while the husband of the informant was working in
construction of village temple, appellant along with other
accused persons arrived with arms in their hands, surrounded



him and abused the informant's husband by taking his caste name. It has further been alleged that co-accused Bhola Yadav, fired on informant's husband due to which he sustained injury and further he was taken to primary health centre where he was declared dead.

4. Learned counsel for the appellant submits that appellant is co-villager and has falsely been implicated in this case due to village politics. No specific overt act has been alleged against the appellant. The allegation of firing is upon the co-accused Bhola Yadav. The appellant is in custody since 24.08.2024 and there is no likelihood that the appellant will abscond or tamper with the evidence.

5. On the other hand, learned counsel for the informant and Special Public Prosecutor, S.C./S.T have opposed the prayer for bail and submits that appellant is named in the First Information Report and he is members of the unlawful assembly. The appellant is having two criminal antecedents.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that altogether 14 persons are named in the First Information Report. No specific overt act has been alleged against the appellant. The appellant is in custody since 24.08.2024 and there is no likelihood that the appellant will abscond or tamper with the evidence, I am



inclined to grant regular bail to the appellant.

7. This application is, accordingly, allowed.

8. Let the appellant, above named, be released on regular bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court of Exclusive Special Judge, S.C.-S.T. Act, Civil Court (Sadar), Patna, in connection with Fatuha Police Station Case No. 572 of 2024.

(Anil Kumar Sinha, J)

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