

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1064 of 2020

Arising Out of PS. Case No.-238 Year-2018 Thana- AKBARPUR District- Nawada

1. PAPPU YADAV S/O Rajo Yadav Resident of village - Khaira, P.S. - Akbarpur, District - Nawada.
2. Anil Yadav S/O Raso Yadav Resident of village - Khaira, P.S. - Akbarpur, District - Nawada.
3. Ballam Yadav @ Balan Yadav @ Rajballam Yadav S/O Raso Yadav Resident of village - Khaira, P.S. - Akbarpur, District - Nawada.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Birendra Kumar
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 26-06-2020

Heard learned counsel for the appellants and learned Additional Public Prosecutor appearing on behalf of the respondent.

The appellants are aggrieved by the order dated 15.02.2020 passed by the learned Additional District & Sessions Judge-I-cum Special Judge, Nawada, in Special Case No. 171(A)/18 arising out of Akbarpur P.S. Case No. 238 of 2018, registered for the offences under Sections 147, 148, 149, 307, 302 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3(2) (5) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, by which



the learned Sessions Judge has rejected the prayer of the appellants for bail.

Learned counsel for the appellants submits that the appellants are in custody since 13.02.2020. He further submits that with reference to paragraph 11 of the instant appeal, other co-accused persons have already been granted bail by different Benches of this Court.

Considering the totality of the facts and circumstances and on consideration of the fact that other co-accused persons have already been granted bail by different coordinate benches of this Court, this Court is inclined to set aside the order and accordingly, the order rejecting bail dated 15.02.2020 passed by the learned Additional District & Sessions Judge-cum Special Judge, Nawada, in Special (H) Case No. 171(A) of 2018 arising out of Akbarpur P.S. Case No. 238/18 is hereby set aside. Let the appellants above named be released on bail on furnishing bail bonds of Rs.25,000/- (Twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-I-cum Spl. Judge, Nawada, in



connection with Special (H) Case No. 171(A) of 2018 arising
out of Akbarpur P.S. Case No. 238/18.

The appeal stands allowed.

(Anil Kumar Upadhyay, J)

S.Ali/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	02.07.2020
Transmission Date	02.07.2020

