

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.755 of 2020

Arising Out of P.S. Case No.-2 Year-2015 Thana- SC/ST District- Nawada

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1. GUDDU KUMAR @ GUDDU YADAV Son of Naresh Yadav
 2. Sanjay Yadav @ Sanjay Kumar Yadav Son of Late Baldeo Yadav
 3. Deonandan Prasad Yadav @ Deo Narayan Yadav Son of Late Rohan Yadav
 4. Basudeo Yadav Son of Late Baldeo Yadav
 5. Naresh Yadav Son of Late Baldeo Yadav
- All are residents of Village - Gobindpur, P.S.- Gobindpur, Dist.- Nawada.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Pramod Kumar Verma
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 08-03-2021 Heard both sides.

The appellants filed this appeal under Section 14(A) of the S.C./S.T. Act against the order dated 23.01.2020 passed by learned Additional Sessions Judge I-cum-Special Judge(S.C./S.T. Act), Nawada by which the anticipatory bail of the appellants has been rejected in S.C./S.T. P.S. Case No.2 of 2015 registered under Sections 147, 148, 149, 341, 323, 504, 384 of the Indian Penal Code and under Section 3(i)(x)(xi)(iv) of the S.C./S.T. Act.

The learned counsel for the appellants submits that allegation against the appellants is that they abused the informant but similarly situated co-accused namely, Chandradeo Prasad Yadav, Pramod Kumar, Navlesh Kumar, Anil Kumar @ Nilu Kumar have been granted anticipatory bail by order dated 27.02.2019 passed in Cr. Appeal(SJ) No.188 of 2019. Other similarly situated co-accused namely Shiv Nandan Yadav @



Budhu Yadav, Madan Yadav, Shiv Balak Yadav and Umesh Yadav @ Khutaki Yadav have already been granted anticipatory bail vide order dated 05.11.2019 passed in Cr. Appeal (SJ) No.3313 of 2019. The case of the appellants stands on the same footing.

Taking into consideration the facts that the case of the appellants stands on the same footing as that of the accused persons who have already been granted anticipatory bail, the order dated 23.01.2020 is set aside, the appeal is allowed and let the appellants, above named, in the event of their arrest or surrender within a period of four weeks be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge I-cum-Special Judge, Nawada in connection with S.C./S.T. P.S. Case No.2 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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