

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49034 of 2021

In
CRIMINAL APPEAL (SJ) No.1289 of 2021

Arising Out of PS. Case No.-123 Year-2020 Thana- PAKRIDAYAL District- East Champaran

1. Rameshwar Sah Son of Suraj Sah Resident of Village and P.O.- Chaita, Ward No.3, P.S.- Pakari Dayal, District- East Champaran.
2. Siya Ram Sah S/o Asharfi Sah Resident of Village P.O.- Chaita Ward No.3, P.S.- Pakari Dayal, District- East Champaran.
3. Asharfi Sah S/o Suraj Sah Resident of Village P.O. Chaita Ward No.3, P.S.- Pakari Dayal, District- East Champaran.
4. Rama Sah S/o Chandrika Sah Resident of Village P.O.- Chaita, Ward No.3, P.S.- Pakari Dayal, District- East Champaran.
5. Pankaj Sah S/o Dinkar Sah Resident of Village P.O.- Chaita, Ward No.3, P.S.- Pakari Dayal, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anang Mohan Sinha, Advocate
For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 08-12-2021 Heard Mr. Anang Mohan Sinha, learned Advocate for the applicants-appellants and Mr. Ram Sevak Choudhary, learned APP for the State.

Mr. Sinha, learned Advocate for the applicants-appellants seek modification of the order dated 09.07.2021 passed in Criminal Appeal (SJ) No. 1289 of 2021 to the extent that the application / appeal on



behalf of applicant-appellant no. 3 be recalled as he had been arrested before the order was passed but because of erroneous submission made on behalf of the applicants-appellants, the appeal of appellant no.1 Rameshwar Sah was permitted to be withdrawn.

Considering the aforementioned statement made on behalf of the applicants-appellants, the order passed in favour of applicant-appellant no. 3 therein is recalled as he had been arrested prior to the passing of the order granting anticipatory bail to him.

The appellant no.1 Rameshwar Sah had not been arrested at the time when the order had been passed and therefore the order shall apply to him as well.

The appellant no. 1 on his surrendering before the court below within a period of eight weeks, he shall be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of



the learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST Act, Motihari in A.B.P. No. 1160 of 2020, arising out of Pakari Dayal P.S. Case No. 123 of 2020.

The order dated 09.07.2021 is modified to the extent indicated above.

(Ashutosh Kumar, J)

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