

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)**

CRIMINAL APPEAL (SJ) No.3628 of 2021

Arising Out of PS. Case No.-35 Year-2020 Thana- SC/ST District- Rohtas

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DHARMENDRA YADAV S/o RAJENDRA YADAV R/o VILLAGE-
KAITHI, P.S-KACHHANWAN, DISTRICT-ROHTAS.

... .. Appellant

Versus

THE STATE OF BIHAR

... .. Respondent

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Appearance :

For the Appellant/s : Mr.Surender Prasad Singh, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Spl. P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 14-09-2021 Learned counsel for the appellant undertakes to remove all

the defects pointed out by the Stamp Reporter within four weeks

after start of normal functioning of the Court.

Heard learned counsel for the appellant and Mr. Sadanand
Paswan, learned Spl. P.P. for the State.

The appellant in the present case is seeking setting aside
of the impugned order dated 21.4.2021 by which the learned judge
has refused the bail of the appellant arising out of SC/ST Dehri P.S.
Case No. 35 of 2020 (registered case No. 269 of 2020) registered
under Section 341, 323, 325, 307, 504/34 of the I.P.C and Section
3(1) (r) (s) SC/ST Act.

Learned counsel for the appellant submits that in the First
Information Report there are altogether six named accused and
allegations against them are general and omnibus. Co-accused
similarly situated namely Baduri Yadav and Ravi Yadav have been

granted bail by learned coordinate Benches of this Court in Cr. App (SJ) No. 3421 of 2021 and 2165 of 2021 respectively.

Learned Spl. P.P. for the State has though opposed the prayer for bail of the appellant but considering the facts and circumstances of the case, there being general and omnibus allegation and the co-accused have already been granted bail, this Court sets aside the impugned order and directs release of the appellant above named on furnishing bail bond of Rs. 25000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge, Rohtas at Sasaram in connection with Dehri P.S. Case No. 35 of 2020 (registered case no. 269 of 2020) subject to the conditions as laid down under Section 437(3) Cr.P.C.

And condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.