

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.669 of 2021**

Arising Out of PS. Case No.-193 Year-2019 Thana- AMAS District- Gaya

Uday Paswan @ Uday Kumar Paswan, aged about 46 years, Male, S/O Late Mithu Paswan, Resident of Village - Hamzapur, P.S. - Amas, District - Gaya

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Kundan Kumar, Advocate
For the Respondent/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 10-03-2021 Learned counsel for the appellant is permitted to remove the defects within four weeks.

Heard learned counsel for the appellant and learned A.P.P. for the State.

The appeal is against the order dated 20.02.2020 passed by learned Special Judge, SC/ST, Gaya in connection with Amas P.S. Case No.193 of 2019 for the offences punishable under Sections 363, 365, 364, 302, 201, 120(B)/34 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3 (2)(v) of the SC/ST (Prevention of Atrocities) Act, has been rejected.

Earlier by order dated 29.06.2020, the bail application of the appellant was dismissed by this Court. Learned counsel for the appellant submits that another similarly situated co-accused has been granted bail vide order dated 21.12.2020



passed in Cr. Appeal (SJ) No.1734 of 2020 and vide order dated 21.12.2020 passed in Cr. Appeal (SJ) No.1817 of 2020. The appellant has been made accused on the basis of confessional statement of co-accused Durga Yadav and the appellant is in jail custody since 11.11.2019.

Learned A.P.P. for the State has opposed the prayer for bail.

In the facts and circumstances of the case, let the above named appellant be released on bail **after framing of charge** on furnishing bail bond of Rs.25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST, Gaya in connection with Amas P.S. Case No.193 of 2019.

Accordingly, the order dated 20.02.2020 is set aside and appeal is allowed.

(Anjani Kumar Sharan, J)

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