

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.772 of 2022**

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

Sangram Yadav @ Tejashwi Yadav @ Tejshwi Yadav S/O Durga Yadav R/o
village- Chandi Asthan, P.S.- Amas, District- Gaya

... .. Appellant

Versus

1. The State Of Bihar
2. Renu Devi W/O Sanjay Kumar R/o village- Rani Kuan, P.S.- Madanpur,
District- Aurangabad

... .. Respondents

Appearance :

For the Appellant	:	Mr. Krishna Prasad Singh, Sr. Advocate Mr. Bhaskar Shankar, Advocate
For the Respondent/s	:	Mr. Binay Krishna, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

5 22-06-2022 Heard Mr. Krishna Prasad Singh, learned Senior Counsel appearing on behalf of the appellant, learned counsel representing the informant and learned Special Public Prosecutor (SC/ST).

The present application has been filed under Section 14(A)(2) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 ('the Act' for short). The appellant is an accused in Amas P.S. Case No. 193 of 2019 registered for offence punishable under Sections 364, 302, 363, 365, 201, 120 (B)/34 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(2)(v) of the Act. The appellant has put to challenge an order dated 21.01.2022 passed by the learned



Exclusive Special Judge SC/ST, Gaya in the aforesaid case.

The appellant's prayer was earlier rejected by this court by an order dated 05.12.2020. After dismissal of the appellant's appeal against the order passed by the Court below refusing privilege of bail, the appellant had made a fresh application before the Court below for grant of bail which came to be rejected by the impugned order dated 21.01.2022.

Mr. Krishna Prasad Singh, learned Senior Counsel appearing on behalf of the appellant has drawn this Court's attention to an order dated 30.03.2022 passed in Criminal Appeal (SJ) No. 203 of 2022, whereby co-accused Durga Yadav has been directed to be released on bail in similar circumstances. He has submitted that the appellant's case is on similar footing. The appellant is in custody since 11.11.2019 in connection with the aforesaid criminal case.

Learned counsel appearing on behalf of the informant and learned Special Public Prosecutor have not been able to distinguish the appellant's case with that of co-accused Durga Yadav.

Considering the circumstance that similarly situated co-accused has been given privilege of bail under the orders of this Court dated 30.03.2022 passed in Criminal Appeal (SJ) No.



203 of 2022, this appeal is allowed. The impugned order dated 21.01.2022 passed by learned Exclusive Special Judge, S.C./S.T., Gaya is hereby set aside.

Let the appellant, namely, Sangram Yadav be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only), with two sureties of the like amount, each to the satisfaction of learned Exclusive Judge SC/ST, Gaya in Amas P.S. Case No. 193 of 2019.

(Chakradhari Sharan Singh, J)

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