

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2722 of 2022

Arising Out of PS. Case No.-32 Year-2022 Thana- SURYAPURA District- Rohtas

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1. Sanjeev Pandey Son of Kamlesh Pandey Resident of Village - Angrer Khurd, P.S.- Suryapura, District - Rohtas.
 2. Saurabh Dubey @ Kishtu Dubey Son of Late Srikant Dubey Resident of Village - Angrer Khurd, P.S.- Suryapura, District - Rohtas.

... .. Appellant/s

Versus

1. The State of Bihar
2. Indu Devi Wife of Late Rajdeo Paswan Resident of Village - Khurd, P.S.- Suryapura, District - Rohtas

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Arun Kumar Gupta, Adv.
For the Respondent/s : Mr. Binay Krishna, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 07-12-2022

Let the defect(s), if any, be removed within two weeks from today.

Heard learned counsel for the appellants and learned Spl.P.P. for the State.

The present appeal has been preferred under Section 14(A) (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail vide order dated 20.07.2022 for the alleged offence under Sections 147, 148, 149, 341, 323, 447, 307, 302, 504 of the I.P.C. read with Sections 27 of the Arms Act and Sections 3(i)(v)(s) 32(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

As per the prosecution, there are in total 8 persons were made accused in this case. The specific allegation is against one Brij Bhushan Pandey and another Chandra Bhushan Pandey but not against the present appellants.

Learned counsel for the appellants submits that appellants' antecedents are clean and they are in custody since 06.07.2022, charge-sheet has already been filed in this case.

Learned counsel for respondent No. 2 opposes the prayer for bail and submits that there are in total 8 named accused persons in this case in which names of appellants are also figured.

Learned Spl.P.P. for the State opposes the prayer for bail.

In the present facts and circumstances of the case and the submissions made above, let the appellants above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 17th-cum-Special Judge, SC/ST Rohtas at Sasaram in connection with Suryapura P.S. Case No. 32 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

Accordingly, the impugned order dated 20.07.2022 passed by learned Additional Sessions Judge 17th-cum-Special

Judge, SC/ST Rohtas at Sasaram in connection with Suryapura P.S. Case No. 32 of 2022 under Sections 147, 148, 149, 341, 323, 447, 307, 302, 504 of the I.P.C. read with Sections 27 of the Arms Act and Sections 3(i)(v)(s) 32(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 is set aside.

With this observation, the appeal stands allowed.

(Dr. Anshuman, J)

prakashmani/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	