

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.685 of 2022

Arising Out of PS. Case No.-152 Year-2021 Thana- JOGBANI District- Araria

LALIT JAISWAL @ LALIT KUMAR JAISWAL Son of Shambhu Jaiswal @
Shambhu Prasad Jaiswal Resident of Village - Mirganj, Ward No.08, P.s.-
Jogbani, Distt.- Araria.

... .. Appellant/s

Versus

1. The State of Bihar
2. Kalanand Kumar Das Son of Kharwan Das Resident of Village - Mirganj,
P.S.- Jogbani, Distt.- Araria.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Anil Prasad Singh
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 09-02-2023 Heard learned counsel for the appellant and the
learned A.P.P. for the State.

This appeal is directed against the order dated
20.11.2021 passed by the learned 1st Additional Sessions-cum-
Special Judge, Araria by which the application of the appellant
for pre-arrest bail has been rejected in connection with Jogbani
P.S. Case No. 152 of 2021 registered under Sections 323, 341
and 307/34 of the Indian Penal Code read with Sections 4(1)(r),
w(1) of the SC/ST (POA) Act.

Learned counsel appearing on behalf of the appellant
submits that the appellant is innocent and has falsely been
implicated in the instant case. There is case and counter case



between the parties. Further he submits that both the parties have sustained the injuries in the alleged occurrence.

Having considered the above facts and circumstances of the case, the order dated 20.11.2021 passed in A.B.P. No. 2023 of 2021 by the learned 1st Additional Sessions-cum-Special Judge, Araria is hereby set aside and the above named appellant is directed to be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing personal bond to the satisfaction of the learned court below in connection with Jogbani P.S. Case No. 152 of 2021, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

Accordingly, the appeal stands allowed.

(Arvind Srivastava, J)

shailendra/-

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