

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.692 of 2022

Arising Out of PS. Case No.-427 Year-2021 Thana- FORBESGANJ District- Araria

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1. VANDANA JAISWAL W/O RANJIT CHOUDHARY Resident of Village - Choura Parwaha, Ward No.14, P.s.- Narpatganj, Distt.- Araria.
 2. Ribha Devi W/o Munna Choudhary Resident of Village - Choura Parwaha, Ward No.14, P.s.- Narpatganj, Distt.- Araria.
 3. Chotu Kumar @ Amrendra Jaiswal Son of Munna Choudhary Resident of Village - Choura Parwaha, Ward No.14, P.s.- Narpatganj, Distt.- Araria.

... .. Appellant/s

Versus

1. The State of Bihar
2. Rani Devi W/o Dinesh Paswan Resident of Village - Choura Parwaha, Ward No.14, P.s.- Forbesganj, Distt.- Araria.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ramesh Kumar Singh
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

5 20-02-2023 Heard learned counsel for the appellants, the learned A.P.P. for the State and the learned counsel appearing for the opposite party no. 2.

This appeal is directed against the order dated 07.01.2022 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Araria by which the application of the appellants for pre-arrest bail has been rejected in connection with Forbesganj P.S. Case No. 427 of 2021 registered under Sections 341, 323, 379, 435, 324, 506, 504/34 of the Indian Penal Code and section 3 S(I)(R) of the SC/ST (POA) Act.



Learned counsel appearing on behalf of the appellants submits that appellants have been falsely implicated in this case due to previous enmity due to boundary dispute. Similarly situated several co-accused persons have already been allowed bail by a Co-ordinate Bench of this Court vide order dated 07.07.2022 passed in Cr. Appeal (SJ) No. 1003 of 2022.

Having considered the above facts and circumstances of the case, the order dated 07.01.2022 is hereby set aside and the above named appellants are 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 bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of 1st Additional Sessions Judge-cum-Special Judge, Araria in connection with Forbesganj P.S. Case No. 427 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)

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