

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.826 of 2022

Arising Out of PS. Case No.-300 Year-2021 Thana- KHIJARSARAI District- Gaya

1. MUKESH YADAV @ MUKESH KUMAR Son of Anil Yadav Resident of Panchrukhi, Dharam Bigha, P.S.- Kihjarsarai, Gaya, Bihar
2. Ashok Yadav Son of Anil Yadav Resident of Panchrukhi, Dharam Bigha, P.S.- Kihjarsarai, Gaya, Bihar
3. Ravi Yadav @ Ravi Ranjan Kumar Son of Anil Yadav Resident of Panchrukhi, Dharam Bigha, P.S.- Kihjarsarai, Gaya, Bihar
4. Anil Yadav Son of Indradev Yadav Resident of Panchrukhi, Dharam Bigha, P.S.- Kihjarsarai, Gaya, Bihar

... .. Appellant/s

Versus

1. The State of Bihar
2. Lalan Paswan son of Late Balkeshwar Paswan resident of village- Panchrukhi Tola Dharam Bigha, P.S.- Kihjarsarai, District- Gaya

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Brijeshwar Narayan Singh, Adv.
For the Respondent/s : Mr. Sadanand Paswan, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

5 28-03-2023 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

This appeal has been preferred against the order dated 07.01.2022 passed by Exclusive Special Judge, SC/ST, Gaya in A.B.P. No. 3515 of 2021 arising out of Khijarsarai P.S. Case No. 300 of 2021 registered under Sections 147, 341, 323, 308, 354 and 504 of the Indian Penal Code and Sections 3(i)(r)(s)(w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act by which the prayer for anticipatory bail of the



appellants has been rejected.

Learned counsel for the appellants submits that appellants have been falsely been implicated in this case due to Panchayat election rivalry. There is case and counter case between the parties. It is further submitted that appellants have got no criminal antecedent.

Considering the aforesaid facts, let the appellants, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of this order, be released on bail on furnishing personal bonds each to the satisfaction of Exclusive Special Judge, SC/ST, Gaya in connection with Khijarsarai P.S. Case No. 300 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Accordingly, the impugned order is set aside and the appeal is allowed.

(Arvind Srivastava, J)

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