

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.788 of 2022

Arising Out of PS. Case No.-96 Year-2021 Thana- GWALPARA District- Madhepura

SHARAD YADAV @ SHARAD KUMAR SON OF JAI KARAN YADAV
R/O VILLAGE- BISWARI, P.S.- GWALPARA, DISTRICT- MADHEPURA

... .. Appellant/s

Versus

1. The State of Bihar
2. SANTU KUMAR RAM SON OF LATE SHYAM LAL RAM R/O
VILLAGE- BISWARI, WARD NO.-4, P.S.- GWALPARA, DISTRICT-
MADHEPURA

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Devesh Shankaran, Adv.
For the Respondent/s	:	Mr.Sadanand Paswan, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

6 23-02-2023 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

This appeal has been preferred against the order dated 19.01.2022 passed by learned Additional District & Sessions Judge I-cum-Special Judge, Madhepura in A.B.P. No.1199 of 2021 arising out of Gwalpara P.S. Case No.96 2021 registered under Sections 147, 148, 149, 341, 323, 324, 384, 307, 302 of the Indian Penal Code and Section 27 of the Arms Act as well as Sections 3(2)(v)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act by which the prayer for anticipatory bail of the appellant has been rejected.

Learned counsel for the appellant submits that



similarly situated co-accused persons have already been granted anticipatory bail by different Benches of this Court vide order dated 15.12.2022 and 25.01.2023 passed in Cr.Appeal (SJ) No.914 of 2022 and Cr.Appeal (SJ) No.758 of 2022.

Considering the fact that similarly situated co-accused persons have already been granted anticipatory bail, let the appellant, above named, in the event of his 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 bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Additional District and Sessions Judge I-cum-Special Judge, Madhepura in connection with Gwalpara P.S. Case No.96 of 2021/SC/ST-46 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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