

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.838 of 2022

Arising Out of PS. Case No.-120 Year-2021 Thana- SUPPI District- Sitamarhi

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BHUPENDRA SINGH @ VIRENDRA PRASAD SINGH SON OF
RAMAGYA SINGH R/O VILLAGE- BOKATHA, P.S.- SUPPI, DISTRICT-
SITAMARHI

... .. Appellant/s

Versus

1. The State of Bihar
2. Kanhaiya Paswan son of Kanchan Paswan resident of village- Bolotha, P.S.-
Suppi, District- Sitamarhi

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Shyama Kant Singh, Adv.
For the Respondent/s : Mr.Sadanand Paswan, Spl.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

5 23-02-2023 In spite of valid service of notice, respondent no.2 did

not appear.

Heard learned counsel for the appellant and learned

Special Public Prosecutor for the State.

This appeal has been preferred against the order dated

16.12.2021 passed by learned 1st Additional Sessions Judge
-cum-Special Judge SC/ST (POA) Act, Sitamarhi in A.B.P.
No.2266 of 2021/204 of 2021 arising out of Suppi P.S. Case
No.120 of 2021 registered under Sections 341, 323, 504 and 506
of the Indian Penal Code and Section 3(r)(s) of SC/ST (POA)
Act by which the prayer for anticipatory bail of the appellant
has been rejected.



Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in this case due to previous enmity. There is a case and counter case between both the parties.

Considering the facts aforesaid and the submissions advanced on behalf of the parties, 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.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of 1st Additional Sessions Judge -cum-Special Judge SC/ST (POA) Act, Sitamarhi in connection with Suppi P.S. Case No.120 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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