

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2099 of 2021**

Arising Out of PS. Case No.-34 Year-2020 Thana- SC/ST District- Aurangabad

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1. RAHUL KUMAR @ CHINTU SON OF SRI SHIV SHANKAR SINGH R/O VILLAGE- BASDIHA, P.S.- TANDAWA, DISTRICT- AURANGABAD.
 2. AMIT KUMAR @ JULI SON OF SHARDUL SINGH R/O VILLAGE- BASDIHA, P.S.- TANDAWA, DISTRICT- AURANGABAD.

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. Pravin Kumar Sudeshwar Ram Village and P.S-Tandawa, District- Aurangabad

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Rajesh Mohan, Adv.
For the Respondent/s	:	Mr. Sadanand Paswan, S.P.P. Mrs. Rupa Kumari, Adv.

**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER**

3 04-05-2023 Heard learned counsel for the appellants, learned counsel for the respondent no. 2 and the learned S.P.P. for the State.

This appeal is directed against the order dated 10.02.2021 passed by the learned Additional District & Sessions Judge-I-cum-Special Judge (SC/ST), Aurangabad by which the application of the appellants for pre-arrest bail has been rejected in connection with Aurangabad P.S. Case No. 34 of 2020 registered under Sections 341, 323, 325, 504, 506 and 34 of the



Indian Penal Code and Section 3(i)(r)(s)(a)(o), 3(2) (va) of the SC/ST (POA) Act.

Learned counsel appearing on behalf of the appellants submits they are innocent and have falsely been implicated in the instant case. It is also submitted that the First Information Report was lodged after a delay of one week without any explanation for the same.

Having considered the above facts and circumstances of the case, the order dated 10.02.2021 passed in Aurangabad P.S. Case No. 34 of 2020 by the learned Additional District & Sessions Judge-I-cum-Special Judge (SC/ST), Aurangabad 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 bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned court below in connection with Aurangabad P.S. Case No. 34 of 2020, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

Accordingly, the appeal stands allowed.

Learned counsel for the appellants is directed to remove the defects as pointed out by the office within a period



of two weeks from today.

(Arvind Srivastava, J)

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