

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2096 of 2021

Arising Out of PS. Case No.-113 Year-2020 Thana- ASHTHAWAN District- Nalanda

HARERAM KUMAR Son of Uday Bhan Singh Resident of Village -
Dumrawan, P.S. - Asthawan, District - Nalanda.

... .. Appellant/s

Versus

1. The State of Bihar
2. Arti Kumari Late Dhuri Paswan Village-Khaje Iauhar Bigha,P.S-
Asthawan,District-Nalanda

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Lakshmi Kant Sharma, Sr. Adv. Mr. Akshay Ashish, Adv.
For the Respondent/s	:	Mr. Usha Kumari 1, SPP Mr. Anand Mohan Prasad Mehta, Adv.

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

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

This appeal is directed against the order dated 18.02.2021 passed by the learned Additional Sessions Judge-I, Nalanda at Bihar Sharif by which the application of the appellants for pre-arrest bail has been rejected in connection with Asthawan P.S. Case No. 113 of 2020 registered under Section 341 and 302 of the Indian Penal Code and Section 3(2) (va) of the SC/ST (POA) Act.

Learned counsel appearing on behalf of the appellants submits that the appellant is innocent and has falsely been implicated in the instant case. Further submission is that the appellant is not named in the First Information Report and



his name transpires only on the basis of confessional statement of one co-accused Santosh Kumar against whom the charge sheet has been submitted.

Having considered the above facts and circumstances of the case, the order dated 18.02.2021 passed in Asthawan P.S. Case No. 113 of 2020 by the learned Additional Sessions Judge-I, Nalanda at Biharsharif is hereby set aside and the above named appellant is 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 Asthawan P.S. Case No. 113 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 appellant 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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