

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2230 of 2021**

Arising Out of PS. Case No.-5 Year-2019 Thana- DEEPNAGAR District- Nalanda

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ARUNESH YADAV @ ARUNESH KUMAR S/O KAILU GOPE R/O
VILLAGE KAKO BIGHA, P.S. DEEPNAGAR, DISTRICT NALANDA

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. Gopal Kumar Son of Sharvan Paswan Village- Maghra, P.S. Deepnagar,
District- Nalanda

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Raj Kishor Prasad
For the Respondent/s	:	Mr. Sadanand Paswan, Spl.P.P.
For the Informant	:	Mrs. Pallavi Pandey, Adv.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 18-05-2023 Heard learned counsel for the appellant, learned

Special Public Prosecutor for the State and learned counsel for

the informant.

This appeal has been preferred against the order dated
24.02.2021 passed by learned 1st Additional Sessions Judge,
Nalanda at Biharsharif in A.B.P. No.292 of 2021 arising out of
Deepnagar P.S. Case No. 05 of 2019, G.R. No. 44 of 2019
registered under Sections 147, 148, 149, 341, 307, 302 of the
Indian Penal Code and Sections 3(1)(r)(s), Q, 3 (2) (V) 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 appellants submits that appellant is innocent and has falsely been implicated in the present case due to dirty village politics. Further submission is that after investigation the police has submitted the final form. The appellant has got no criminal antecedent.

Considering the aforesaid facts, let the appellant, 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 bond to the satisfaction of 1st Additional Sessions Judge, Nalanda at Biharsharif in connection with Deepnagar P.S. Case No. 05 of 2019, G.R. No. 44 of 2019, 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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