

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1663 of 2022

Arising Out of PS. Case No.-33 Year-2022 Thana- HALSI District- Lakhisarai

1. SAKALDEV YADAV Son of Late Giridhari Yadav Resident of Village - West Giddha, P.s.- Halsi, Distt.- Lakhisarai.
2. MAHENDRA YADAV Son of Late Prabhu Yadav Resident of Village - West Giddha, P.s.- Halsi, Distt.- Lakhisarai.
3. ANKESH YADAV Son of Pravesh Yadav @ Rampravesh Yadav Resident of Village - West Giddha, P.s.- Halsi, Distt.- Lakhisarai.
4. BHAJO YADAV Son of Late Degan Yadav Resident of Village - West Giddha, P.s.- Halsi, Distt.- Lakhisarai.
5. Bhola Yadav Son of Late Dwarika Yadav Resident of Village - West Giddha, P.s.- Halsi, Distt.- Lakhisarai.
6. Chotu Kumar Son of Prakash Yadav Resident of Village - West Giddha, P.s.- Halsi, Distt.- Lakhisarai.

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. KRISHNA RAM Son of Not known A.S.I. , Address not Known, Presently posted at Halsi P.S., Distt.- Lakhisarai.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Manisha Prakash, Adv.
For the Respondent/s : Mrs.Usha Kumari 1, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

5 10-02-2023 Heard learned counsel for the appellants and the learned A.P.P. for the State.

This appeal is directed against the order dated 25.04.2022 passed by the learned Additional District & Sessions Judge-I-cum-Special Judge, Lakhisarai by which the application of the appellants for pre-arrest bail has been rejected in



connection with A.B.P. No. 448 of 2022 arising out of Halsi P.S. Case No. 33 of 2022 registered under Section 307 and other allied sections of the Indian Penal Code, under Section 27 of the Arms Act and Section 3(1) (r) (s), 3(2) (va) of the SC/ST (POA) Act.

Learned counsel appearing on behalf of the appellants submits that similarly situated several co-accused persons have already been granted bail by different benches of this Court vide orders dated 21.07.2022, 30.11.2022 and 04.01.2023 passed in Cr. Appeal (SJ) Nos. 1723 of 2022, 1597 of 2022 and 1659 of 2022 respectively.

Having considered the above facts and circumstances of the case, the order dated 25.04.2022 passed in A.B.P. No. 448 of 2022 by the learned Additional District & Sessions Judge-I-cum-Special Judge, Lakhisarai 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 bonds of Rs.25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned court below in connection with A.B.P. No. 448 of 2022 arising out of Halsi P.S. Case No. 33 of 2022, subject to the condition as laid down



under Section 438(2) of the Cr. P.C.

Accordingly, the appeal stands allowed.

(Arvind Srivastava, J)

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