

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2676 of 2022

Arising Out of PS. Case No.-149 Year-2022 Thana- SAHPUR District- Patna

BRAJESH GANDHI SON OF SRI LALIT PRASAD R/O VILLAGE- EAST
BHIKHACHAK, P.S.- GARDANIBAGH, DISTRICT- PATNA

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Abhoy Kumar Kashyap, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 07-07-2023 Heard learned counsel for the appellant and learned
Spl. P.P. for the State.

This is an appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 31.05.2022 in A.B.P. No. 3390 of 2022 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Patna in connection with Shahpur P.S. Case No. 149 of 2022 registered for the offences punishable under Sections 406, 420, 341, 323, 504, 506 and 34 of the Indian Penal Code as well as Sections 3(i) (r) (s) (w) (1) of the SC/ST Act.

Learned counsel for the informant at the outset



submits that he does not oppose the appeal filed on behalf of the appellant.

In view of the submissions made by the learned counsel for the appellant, the order dated 31.05.2022 in A.B.P. No. 3390 of 2022 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Patna in connection with Shahpur P.S. Case No. 149 of 2022 is hereby set aside and the appellant above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Shahpur P.S. Case No. 149 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Accordingly the appeal stands allowed.

(Satyavrat Verma, J)

Adnan/-

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