

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3926 of 2021

Arising Out of PS. Case No.-97 Year-2019 Thana- HISUWA District- Nawada

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1. MADAN PRASAD KUSHWAHA @ MADAN LAL KUSHWAHA S/o Late Hulash Prasad Kushwaha Resident of Village- Mahrama, P.S.- Roh, District- Nawada.
 2. Ramashish Prasad S/o Harihar Prasad Resident of Village- Dihuri, P.S.- Hisua, District- Nawada.
 3. Ramanuj Prasad S/o Harihar Prasad Resident of Village- Dihuri, P.S.- Hisua, District- Nawada.
 4. Mirtunjay Kumar @ Mirtunjay Singhn @ Uma Singh S/o Rajendra Prasad Resident of Village- Doman Bigha, P.S.- Hisua, District- Nawada.

... .. Appellant/s

Versus

1. The State of Bihar
2. Niru Devi wife of Gaya Paswan Ward No. 05, resident of village- Dihuri, P.S.- Hisua, District- Nawada

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Sheo Kumar Prasad
For the Respondent/s	:	Ms.Usha Kumari 1
		Mr.Subodh Kumar

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 27-04-2023 Heard learned counsel for the appellants, learned counsel for the informant and learned Special Public Prosecutor for the State.

This appeal has been preferred against the order dated 18.08.2021 passed by learned Additional District & Sessions Judge 1st-cum-Special Judge (SC/ST), Nawada in A.B.P. No.1186 of 2021 arising out of Hisua P.S. Case No.97 2019 registered under Sections 341, 323, 504, 506 and 34 of the



Indian Penal Code and Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act by which the prayer for anticipatory bail of the appellants has been rejected.

Learned counsel for the appellants submits that the appellants are innocent and have falsely been implicated in this case due to political rivalry. He further submits that the police investigated the matter and submitted final form (Annexure 3). The appellants have got no criminal antecedent.

Considering the aforesaid facts and submissions made by the parties, let the appellants, 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 bonds to the satisfaction of A.D.J. 1st-cum-Spl.Judge, SC/ST, Nawada in connection with Hisua P.S. Case No.97 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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