

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2803 of 2022**

Arising Out of PS. Case No.-375 Year-2021 Thana- PATORI District- Samastipur

SHESHNATH SINGH Son of Late Bhuneshwar Singh R/V- Rajpur Jaunapur,
P.S- Shahpur Patory (Mohanpur O.P), Dist- Samastipur

... .. Appellant/s

Versus

1. The State of Bihar
2. AKHILESH PASWAN Son of Late Maheshwar Paswan R/V- Rajpur Jaunapur, P.S- Shahpur Patory (Mohanpur O.P) Dist- Samastipur

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Amit Kumar
For the Respondent/s	:	Ms.Usha Kumari 1 Mr.Rajeev Kumar

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

6 27-04-2023 Heard learned counsel for the appellant, learned counsel for the informant and learned Special Public Prosecutor for the State.

This appeal has been preferred against the order dated 28.07.2022 passed by learned Special Judge (SC/ST Act), Samastipur in A.B.P. No.1380 of 2022 arising out of Patory (Mohanpur O.P.) P.S. Case No.375 of 2021 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 appellant has been rejected.

Learned counsel for the appellant submits that the



appellant is innocent and has falsely been implicated in this case. He further submits that the F.I.R. has been lodged after one month of the alleged occurrence. The appellant has got no criminal antecedent.

Considering the facts and circumstances of the case as well as the submissions made by the parties, 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 Special Judge (SC/ST Act), Samastipur in A.B.P. No.1380 of 2022 arising out of Patory (Mohanpur O.P.) P.S. Case No.375 of 2021 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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