

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2798 of 2022

Arising Out of PS. Case No.-385 Year-2021 Thana- SHERGHATI District- Gaya

INDRADEO YADAV S/o Late Jatan Yadav R/o village- Lachhnaiti Tola,
Bhadwar, P.S.- Sherghati, District- Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Bhim Paswan S/o Late Ramprit Paswan R/o village- Lachhnaiti Tola,
Bhadwar, P.S.- Sherghati, District- Gaya

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Shivendra Prasad
For the Respondent/s	:	Ms.Usha Kumari I
		Mr.Pawan Kumar Singh

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
25.07.2022 passed by learned Exclusive Special Judge (SC/ST
Act), Gaya in A.B.P. No.173 of 2022 arising out of Sherghati
P.S. Case No.385 of 2021 registered under Sections 147, 148,
149, 341, 323, 504, 506, 325 and 308 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 similarly situated co-accused has already been granted anticipatory bail by a coordinate Bench of this Court vide order dated 29.03.2023 passed in Cr.Appeal (SJ) No.405 of 2022. 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 bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Judge (SC/ST Act), Gaya in A.B.P. No.173 of 2022 arising out of Sherghati P.S. Case No.385 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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