

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4785 of 2021

Arising Out of PS. Case No.-282 Year-2021 Thana- BIBHUTIPUR District- Samastipur

1. RAM BABU SINGH Son of Siya Ram Singh Resident of Village - Rupauli Khurd , P.S.- Bibhutipur, Distt.- Samstipur.
2. Lalit Kumar Singh @ Lalit Singh Son of Ram Krishna Singh Resident of Village - Rupauli Khurd , P.S.- Bibhutipur, Distt.- Samstipur.
3. Ram Krishna Singh Son of Mangal Mahto Resident of Village - Rupauli Khurd , P.S.- Bibhutipur, Distt.- Samstipur.
4. Ram Sagar Singh @ Sagar Singh Son of Late Bijo Singh Resident of Village - Rupauli Khurd , P.S.- Bibhutipur, Distt.- Samstipur.
5. Sanjit Kumar @ Sanjit Singh Son of Sagar Singh @ Ram Sagar Singh Resident of Village - Rupauli Khurd , P.S.- Bibhutipur, Distt.- Samstipur.
6. Uma Kant Singh Son of Sita Ram Singh Resident of Village - Rupauli Khurd , P.S.- Bibhutipur, Distt.- Samastipur.
7. Shrikant Singh Son of Sita Ram Singh Resident of Village - Rupauli Khurd , P.S.- Bibhutipur, Distt.- Samastipur.

... .. Appellant/s

Versus

1. The State of Bihar
2. Ram Ratan Das Son of Late Lakhan Das Resident of Village - Rupauli Khurd , P.S.- Bibhutipur, Distt.- Samstipur.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sachchidanand Choudhary
For the Respondent/s : Mr. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

5 09-02-2023 Learned counsel for the appellants seeks permission to withdraw the anticipatory bail of the appellant no 3 Ram Krishna Singh, since during the pendency of this application he has been arrested.

Permission is accorded.

Accordingly, the application for grant of anticipatory



bail with regard to Appellant No. 3 Ram Krishna Singh is dismissed as withdrawn.

Heard learned counsel for the appellant nos. 1, 2 and 4 to 7 and the learned A.P.P. for the State.

This appeal is directed against the order dated 05.10.2021 passed by the learned Additional Sessions Judge-I-cum-Special Judge (SC/ST), Samastipur by which the application of the appellants for pre-arrest bail has been rejected in connection with A.B.P. No. 2026 of 2021 arising out of Bibhutipur P.S. Case No. 282 of 2021 registered under Section 307 and other allied sections of the Indian Penal Code, under Section 27 of the Arms Act and 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 Ganga Prasad Singh has already been allowed bail by a Co-ordinate Bench of this Court vide order dated 24.01.2023 passed in Cr. Appeal (SJ) No. 1547 of 2022.

Having considered the above facts and circumstances of the case, the order dated 05.10.2021 passed in A.B.P. No. 2026 of 2021 by the learned Additional Sessions Judge-I-cum-Special Judge (SC/ST Act), Samastipur is hereby set aside and



the above named appellant nos. 1, 2 and 4 to 7 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 bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below in connection with Bibhutipur P.S. Case No. 282 of 2021, 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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