

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3547 of 2022

Arising Out of PS. Case No.-236 Year-2017 Thana- SHIVSAGAR District- Rohtas

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1. VIJAY KUMAR GUPTA S/o Bagedan Gupta Resident of village- Kharhana, P.S.- Kudra, District- Kaimur
 2. RAVI KUMAR S/o Late Ashok Gupta Resident of village- Amaura, P.S.- Dildarnagar, District- Gazipur (U.P)

... .. Appellant/s

Versus

1. THE STATE OF BIHAR Bihar
2. Jai Hind Paswan Sigasan Paswan Resident of Village- Sonbarsa (Maidani), P.S.- Sheosagar, District- Rohtas

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ajay Kumar Tiwari
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

5 27-04-2023 Heard learned counsel for the appellants and learned counsel for the respondent no. 2 and the learned S.P.P. for the State.

This appeal is directed against the order dated 08.08.2022 passed by the learned Additional Sessions Judge-17-cum-Special Judge (SC/ST), Rohtas at Sasaram by which the application of the appellants for pre-arrest bail has been rejected in connection with Sheosagar P.S. Case No. 236 of 2017 registered under Section 302, 201 and 34 of the Indian Penal Code and 3(2) (va) of the SC/ST (POA) Act.

Learned counsel appearing on behalf of the



appellants submits that similarly situated co-accused person has already been allowed bail by a Co-ordinate Bench of this Court *vide* order dated 20.11.2018 passed in Cr. Appeal (SJ) No. 2632 of 2018.

Having considered the above facts and circumstances of the case, the order dated 08.08.2022 passed in Sheosagar P.S. Case No. 236 of 2017 by the learned Additional Sessions Judge-17-cum-Special Judge (SC/ST), Rohtas at Sasaram is hereby set aside and the above named appellants 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. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned court below in connection with Sheosagar P.S. Case No. 236 of 2017, 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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