

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2805 of 2024

Arising Out of PS. Case No.-116 Year-2019 Thana- BELAGANJ District- Gaya

Shailendra Kumar Son of Mahendra Mahto @ Mahendra Prasad Singh R/O
Vill.- Khaneta, P.S.- Belaganj, Dist.- Gaya

... .. Appellant/s

Versus

1. The State Of Bihar
2. Munna Paswan Son of Late Nanku Paswan R/O Vill.- Khaneta, P.S.-
Belaganj, Dist.- Gaya

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ajay Kumar Sinha, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 25-06-2024 Heard learned counsel for the appellant and the
learned Special Public Prosecutor for the State.

2. The appellant has challenged the order dated 21.05.2024 passed by the learned Exclusive Special Judge SC/ST, Gaya in connection with Belaganj P.S. Case No.116 of 2019, instituted for the offences under Sections 147, 148, 149, 341, 323, 307 and 504 of the IPC read with Section 3(i)(r) of the SC/ST (POA) Act, whereby their prayer for grant of anticipatory bail has been rejected.

3. The learned counsel for the appellant submits that appellant is a person with clean antecedent and has been falsely implicated in the instant case by the informant with general and



omnibus allegation of assault.

4. It is next submitted altogether sixteen persons have been roped as an accused in the instant FIR, it is also submitted that similarly situated thirteen co-accused had approached this Court seeking anticipatory bail by filing Cr. Appeal (SJ) No.3516 of 2019 (Pankaj Kumar & Ors. vs. The State of Bihar) and the same was allowed by a learned coordinate Bench by an order dated 25.10.2019.

5. It is further submitted that case of the appellant is also similar to the case of Pankaj Kumar & Ors., thus based on parity seeks anticipatory bail.

6. The learned Special P.P. opposes the anticipatory bail application.

7. Regard being had to the aforesaid submissions, the order dated 21.05.2024 is set aside.

8. The appeal stands allowed.

9. The appellant above named, in the event of his arrest or surrender before the learned court below within a period of six weeks, is directed to be released on bail on his furnishing bail bonds in the sum of Rs.5000/-(Rupees Five Thousand Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge SC/ST,



Gaya in connection with Belaganj P.S. Case No.116 of 2019,
subject to the conditions laid down under Section 438(2) of the
Cr.P.C.

(Satyavrat Verma, J)

Prakash Narayan

U		T	
---	--	---	--

