

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4632 of 2023

Arising Out of PS. Case No.-24 Year-2022 Thana- RANIGANJ District- Araria

AKHIKLESH KUMAR YADAV @ AKHILESH YADAV SON OF LATE
KALANAND YADAV RESIDENT OF VILLAGE / MOHALLA -
GOPALPUR COLONY, WARD NO.10, P.S. - RANIGANJ, DISTRICT -
ARARIA

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. LAKHAN RISHIDEO SON OF LATE NEBU RISHIDEO RESIDENT OF
VILLAGE / MOHALLA - GOPALPUR COLONY, WARD NO.10, P.S. -
RANIGANJ, DISTRICT - ARARIA

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Kundan Kumar Singh
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-01-2024 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellant against the order dated 28.08.2023 passed by learned 1st Additional Sessions Judge-cum-Special Judge Araria whereby the prayer for bail of the appellant in connection with Raniganj P.S. Case no. 24 of 2022 under Section 302, 120B, 34 of the Indian Penal Code, and sections 3(2)(v) of SC/ST Act was rejected.

3. According to prosecution case, the informant alleged that co-accused person committed murder of his son.



4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. The appellant is not named in the FIR rather his name has come into light the it was alleged that he was conspirator of this alleged occurrence. No one is eye witness of the alleged occurrence. No offence is made out under the provisions of the SC/ST Act against him. Similarly situated co-accused persons have already been granted bail by this Court vide order dated 25.08.2023 passed in Cr. Appeal SJ No. 1788 of 2022. It is also submitted that the petitioner is languishing in judicial custody since 28.08.2023.

5. The appeal for bail is opposed by learned Spl. P.P. for the State.

6. Having heard learned counsel for the parties and considering the aforesaid facts and circumstance of the case, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 28.08.2023 passed in Raniganj P.S. Case no. 24 of 2022 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Raniganj P.S. Case no. 24 of 2022 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of



the learned 1st Additional Sessions Judge-cum-Special Judge
Araria.

(Sunil Kumar Panwar, J)

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