

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5145 of 2023

Arising Out of PS. Case No.-147 Year-2022 Thana- PANDARAK District- Patna

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1. VIKASH YADAV son of Umesh Yadav @ Suresh Yadav Resident of Village- Lemuabad PS - Pandarak Dist- Patna
 2. Gopal Yadav son of Murti Yadav @ Karu Yadav Resident of Village- Lemuabad PS- Pandarak Dist- Patna

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	: Mr. Premchandra Yadav, Advocate
For the State	: Mr. Binay Krishna, Spl.P.P.
For the Resp. No. 2/Informant	: Mr. Sabal Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 05-04-2024 1. Learned counsel for the appellants seeks permission to withdraw the prayer for anticipatory bail with respect to appellant no. 2 Gopal Yadav.
2. Permission is accorded.
3. Accordingly, the prayer for anticipatory bail with respect to appellant no. 2 is dismissed as withdrawn.
4. Heard learned counsel for the parties.
5. This is an appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 30.09.2023 in A.B.P. No. 2971 of 2023 passed by the learned Exclusive Special Judge SC/ST, Patna in connection



with Pandarak P.S. Case No. 147 of 2022 registered under Sections 341, 323, 354, 307, 504, 506 and 34 of the Indian Penal Code as well as Sections 3(1)(r)(s) of the SC/ST Act.

6. Learned counsel appearing on behalf of the respondent no. 2, at the outset, submits that he has instruction of respondent no. 2 not to oppose the prayer for anticipatory bail of appellant no. 1.

7. Hence, let the appellant no. 1, above named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.1,000/- (rupees one thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. Accordingly, the impugned order is set aside and this appeal stands allowed.

(Satyavrat Verma, J)

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