

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5586 of 2023

Arising Out of PS. Case No.-21 Year-2023 Thana- SC/ST District- Lakhisarai

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Pankaj Yadav @ Pankaj Kumar Son of Baleshwar Yadav @ Bale Yadav
Resident of Village - Khemtarni Sthan, P.S. - Suryagarha, District - Lakhisarai

... .. Appellant/s

Versus

1. The State Of Bihar
2. Dipak Kumar Son Of Banwari Das @ Bano Das Resident Of Village -
Khemtarni Sthan, P.S. - Suryagarha, District - Lakhisarai

... .. Respondent/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-01-2024 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 29.11.2023 passed by learned Additional District and Sessions Judge 1st -cum – Special Judge, SC/ST Act, Lakhisarai whereby the prayer for bail of the appellant in connection with Lakhisarai SC/ST P.S. Case no. 21 of 2023 under Sections 447, 341, 504 and 506 of the Indian Penal Code and sections 3(i)(r)/3(2)(va) of SC/ST Act was rejected.

3. Earlier, the appellant was granted anticipatory bail by a co-ordinate Bench of this Court vide order dt. 4.10.2023 passed in Cr. Appeal (SJ) No. 2808 of 2023 with a direction to the Court below to accept the bail bond of the appellant after verifying his



criminal antecedents.

4. It is submitted that learned counsel for the appellant that on verification by the court below, the appellant was found having criminal antecedents in some other cases apart from the antecedent which were mentioned in his anticipatory bail petition. Thereafter, his bail bond was not accepted by court below and he has been taken into custody on 4.11.2023 and since then he is languishing in judicial custody.

5. 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 29.11.2023 is hereby set aside.

6. The appellant is directed to be enlarged on bail in connection with Lakhisarai SC/ST P.S. Case No.21 of 2023 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 Additional District and Sessions Judge 1st -cum -Special Judge (SC/ST Act), Lakhsarai.

(Sunil Kumar Panwar, J)

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