

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.963 of 2016

Arising Out of PS.Case No. -25 Year- 2013 Thana -TARIYANI CHOWK District- SHEOHAR

1. Ramanand Singh S/o Noni Singh Resident of Village- Tariyani Chapra,
P.S. Tariyani District Sheohar.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

Appearance :

For the Appellant/s : Mr. Ratanakar Jha

For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 22-11-2016 Heard learned Counsel for the appellant and
learned Additional Public Prosecutor appearing on behalf of
the State.

This is an appeal, under Section 14-A (2) of the
Schedule Castes and Schedule Tribes (Prevention of
Atrocities) Amendment Act, 2015, against the order, dated
15.09.2016, passed by the learned 1st Additional Sessions
Judge, Sheohar, in Trial No. 08 of 2016, arising out of
Tariyani Chowk Police Station Case No. 25 of 2013,
registered for the offence punishable under Sections 147,
148, 149, 307, 341, 342, 323, 325, 447, 448, 504, 302 of
the Indian Penal Code read with Section 3 (i) (x) of the
Schedule Castes and Schedule Tribes (Prevention of
Atrocities) Act, whereby the appellant's application for

regular bail has been rejected.

The petitioner is in custody since 24.08.2016.

Learned Counsel for the appellant has submitted that charge sheet has already been submitted on completion of investigation. It has further been submitted, referring to the First Information Report, that though there is allegation of assault against other co-accused persons, there is no such allegation against this appellant. He has submitted that the allegation against the appellant is quite general and vague. He has drawn my attention to an order of this Court, dated 30.09.2013, whereby similarly circumstanced co-accused person has been granted bail by this Court. He has submitted that these aspects have not been taken into account by the learned 1st Additional Sessions Judge, Sheohar, while considering the appellant's application for regular bail.

Learned Counsel for the appellant appears to be right in his submission. The learned Court below has not taken into account properly the fact that other similarly situated co-accused persons have been granted regular bail by this Court.

Considering the above, this appeal is allowed. The order, dated 15.09.2016, passed by the learned 1st Additional Sessions Judge, Sheohar, in Trial No. 08 of 2016,

arising out of Tariyani Chowk Police Station Case No. 25 of 2013, is set aside.

The petitioner, Ramanand Singh, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Sheohar, in connection with Trial No. 08 of 2016, arising out of Tariyani Chowk Police Station Case No. 25 of 2013.

This is subject to the condition that the appellant shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court below on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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