

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1961 of 2017

Arising Out of PS.Case No. -8 Year- 2017 Thana -TANDWA District- AURANGABAD

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Jananjay Singh @ Janamjai Singh, son of Late Shiv Nandan Singh, resident
of village Balthar, P.O. Kala Pahar, Tendua, P.S. Tandwa, District
Aurangabad

.... Appellant

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Krishna Pd. Singh, Sr.Advocate with
Mr. Mithilesh Kr. Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-07-2017 Heard learned counsel for the appellant and learned
Special P.P.

This appeal has been filed for setting aside the order dated 8.6.2017 passed by 1st Additional Sessions Judge-cum-Special Judge, SC/ST Act, Aurangabad, in bail petition filed by the appellant in connection with Tandwa P.S.case No. 8 of 2017 instituted under Sections 341, 323, 448, 304/34 of the Indian Penal Code and 3(1)(r)(s), 3(2)(v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for grant of bail to the appellant.

Allegation as per FIR is that accused persons, including the appellant threatened the informant to withdraw the case and if not to face dire consequence. It is also alleged that



scuffle took place between the accused persons and one Pankaj, son of the informant and in course of pushing mother of informant fell down and she died.

It has been submitted on behalf of the appellant that there is no specific allegation against the appellant of pushing mother of the informant, rather the same is against one Om Prakash Singh and he is in custody for more than one month.

Learned Special P.P., who has opposed the prayer for bail.

Having heard both sides and in view of facts and circumstances, as stated above, the appeal is allowed and the impugned order is set aside.

Let the appellant, named above, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of 1st Additional Sessions Judge-cum-Special Judge, SC/ST Act, Aurangabad, in connection with Tandwa P.S. Case No. 8 of 2017, subject to the conditions that one of the bailors should be a local person having sufficient immovable properties within the jurisdiction of the court concerned, he will co-operate in disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before



the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of his bail and further he will not induce any witness or tamper with the evidence.

(Vinod Kumar Sinha, J)

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