

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1162 of 2017

Arising Out of PS.Case No. -201 Year- 2016 Thana -BIHRA District- SAHARSA

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Neeraj Kumar Singh @ Neeraj Singh Son of Indradev Singh @ Indradeo Singh, Resident of village - Purikh, P.S. Bihra, District - Saharsa

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Madhav Jha

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-05-2017

Heard learned counsel for the appellant.

The appellant has filed the instant appeal in terms of Section 14A of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act against an order dated 23.02.2017 passed by the learned Additional Sessions Judge-I, Saharsa in connection with B.P. No. 113 of 2017 relating to Bihra P.S. Case No. 201 of 2016, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 302, 504 of the Indian Penal Code and Sections 3(i)(x), 3(2) (v) of the SC/ST Act, whereby and whereunder prayer for regular bail made on behalf of the appellant has been rejected.

Allegation against the appellant, as per the F.I.R., is that he along with other accused persons came to the place of occurrence where the informant and other villagers were fishing in a ditch and they stopped the informant from fishing and thereafter all the accused persons assaulted the informant and his brother and



further allegation is that the accused persons surrounded the informant and others and started beating and firing. They also abused the informant and others by taking caste name and also assaulted them and during the course of treatment one Chano Ram died.

It has been submitted on behalf of the appellant that no specific allegation has been attributed against the appellant and he is in custody for about four months and even allegation against him is that he surrounded the informant along with other accused persons.

Heard learned Special P.P. also.

Having heard both sides and in view of the allegation under ST/ST Act as well as the allegation of assault by the accused persons the deceased died, at this stage I am not inclined to grant bail to the appellant. However, the appellant may renew his prayer for bail after framing of the charge.

Accordingly, with the aforesaid observation, this appeal is dismissed.

(Vinod Kumar Sinha, J)

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