

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3007 of 2017

Arising Out of PS.Case No. -219 Year- 2016 Thana -DARBHANGA SADAR District-
DARBHANGA

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Prakash Singh S/o Lal Babu Singh, R/o Village- Thathopur, P.S.- Baheri, District- Darbhanga.	 Appellant
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Versus

The State of Bihar	 Respondent
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Appearance :

For the Appellant/s : Mr. Amarendra Naraya, Adv.

For the Respondent/s : Mr. Sri Sadanand Paswan, SPP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 19-12-2017 Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by the learned 1st Additional Sessions Judge-cum-Special Judge, (SC/ST Act) , Darbhanga in connection with Darbhanga Sadar P.S.Case No. 219 of 2016 registered under Sections 302/34 of the Indian Penal Code and 27 Arms Act as well as under Sections 3(2)(v) of the Scheduled Castes and Scheduled Tribes Act.

After recovery of the dead body of the son of the informant, she suspected that for land dispute at the instance of some high profile political leader murder of his son was committed.

Submission is that appellant is not named in the FIR. The appellant has got no criminal antecedent and only



material during course of investigations came that the vehicle, which was found near the place of occurrence was suspected to be of this appellant. Appellant has enclosed the owner book of the said vehicle to substantiate that the same was in the name of one Mithilesh Kumar Singh.

Considering the aforesaid facts that there is no substantial material against the appellant, let the appellant, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Darbhanga Sadar P.S.Case No. 219 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellant shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

Accordingly, this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

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