

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1556 of 2018

Arising Out of PS.Case No. -147 Year- 2017 Thana -BARH District- PATNA

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1. Guddu Singh son of Satish Singh, resident of Village- Bichali Malahi, Police Station- Barh, District- Patna.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Tej Narayan Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 30-07-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail vide order dated 28.03.2018 passed by the learned Special Judge (S.C./S.T. Act)-cum-Additional Sessions Judge-V, Patna, in Special Case No.415 of 2017, arising out of Barh Police Station Case No.147 of 2017, registered under Sections 147/148/149/307/326/427 of the Indian Penal Code. Later on Section 302 of the Indian Penal Code, Section 27 of the Arms Act and Section 39(i)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The FIR would reveal that allegation of firing is against



several named persons including the appellant. However, it is not specific as to who had caused the single fire-arm injury to Sukhdeo Paswan, which resulted in his death. The case-diary would reveal that before the police no one has specifically stated that who had caused the fire-arm injury to Sukhdeo Paswan. The appellant is in custody since 21.07.2017.

Considering the nature of allegation and the material available on the record, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with the aforesaid case, with 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, the impugned order is set aside and appeal is allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.08.2018
Transmission Date	01.08.2018

