

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3031 of 2018

Arising Out of PS. Case No.-94 Year-2016 Thana- SAKRA District- Muzaffarpur

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Avinash Singh @ Avinash Kumar @ Avinath Singh @ Avinash Kumar Singh,
Son of Wakil Singh, resident of Village- Sandho Patti, P.S.- Sakra, District-
Muzaffarpur.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Man Mohan Kumar
For the Respondent/s : Smt. Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 06-09-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(2)(A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail vide order dated 09.07.2018 passed by the learned 11th Additional Sessions Judge-cum-Special Judge (SC/ST), Muzaffarpur in Sakra Police Station Case No.94 of 2016 registered under Sections 147, 148, 149, 279, 337, 325, 436, 302 of the Indian Penal Code as well as Section 3(ii)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



Allegation against the appellant and other accused persons is of setting the house of the informant on fire and also causing death of daughter of the informant.

Submission of the learned counsel for the appellant is that though he is named in the F.I.R. but no specific allegation is attributed against him and he is in custody since two months and he is ready to abide by any condition that may be imposed on him by this Court, if bail is granted to him.

Heard learned Special P.P. also.

Co-accused, *Sunil Kumar Singh* has already been allowed bail by a co-ordinate Bench of this Court in Criminal Appeal (SJ) No.2494 of 2017.

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

Let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees 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 the aforesaid case, subject to the conditions as follows :



(1) One of the bailors shall be a local person having sufficient immovable properties within the jurisdiction of the court concerned,

(2) Appellant will co-operate in trial and appear on each and every date in court and on failure to appear on two consecutive dates without any genuine ground or without permission of court, his bail bond shall be cancelled.

(Birendra Kumar, J)

abhishek/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

