

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3008 of 2018

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

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1. Harendrra Singh,
2. Surendra Singh @ Surendra Prasad Singh, Both sons of Late Gonour Singh,
Resident of Village- Sanghopatti, P.S. Sakra, District- Muzaffarpur.... Appellant/s
Versus

1. The State of Bihar Respondent/s

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Appearance :

For the Appellant/s : Mr. Diwakar Prasad Karn, Adv
For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 04-09-2018

Heard learned counsel for the appellant.

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 by order dated 09.07.2018 in connection with Sakra P.S. Case No. 94 of 2016 passed by the learned 11th Additional Sessions Judge-cum-Special Judge, SC/ST Act, Muzaffarpur, registered under Sections 147, 148, 149, 279, 337, 325, 436, 302 of the Indian Penal Code and 3(ii)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

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

Submission of learned counsel for the appellants is that though they are named in the FIR but no specific allegation is attributed against them and they are in custody since two months and they are ready to abide by any condition that may



be imposed on them by this Court, if bail is granted to them.

Heard learned Special P.P. also.

Co-accused-Sunil Kumar Singh has already been allowed bail by a Coordinate Bench of this Court in Cr. Appeal (SJ) No.2494 of 2017.

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

Let the appellants, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of Special Judge, SC/ST Act, Muzaffarpur, in connection with Sakra P.S.Case No. 94 of 2016, subject to the conditions as follows :

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

(2) Appellants 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, their bail bonds shall be cancelled.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
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