

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3061 of 2018

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

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Tinku Kumar Singh @ Takala @ Tinku, Son of Late Nago Singh, Resident of
Village- Bichali Malahi, Police Station- Barh, District Patna.

... .. Appellant/s

Versus

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, SPP246

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 10-09-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A)(ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2016 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail vide order dated 28.03.2018 passed by the learned Special Judge (SC/ST 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 3(i)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



The F.I.R. 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 firearm 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 firearm injury to *Sukhdeo Paswan*. The appellant is in custody since 06.01.2018.

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/- (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 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 this appeal stands allowed.

(Birendra Kumar, J)

abhishek/-

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Uploading Date	
Transmission Date	

