

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2481 of 2018

Arising Out of PS.Case No. -14 Year- 2014 Thana -FULKAHA District- ARRARIA

- =====
1. Satish Singh, Son of Late Keshav Prasad Singh,
 2. Munna Singh @ Manish Kumar Singh, Son of Late Pramod Singh,
 3. Praveen Singh, Son of Basisht Narayan Singh,
 4. Gopi Singh, Son of Sibu Singh, All are resident of Village- Madhura Uttar,
P.S.- Fulkaha, District- Araria.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Ajay Kumar Thakur, Advocate
Mr. Ishtiyaque Ahmad, Advocate
Mr. Shashank Shekhar, Advocate
Mr. Pravin Kumar, Advocate
For the Respondent/s : Mr. Binay Krishna, S.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 20-07-2018

Heard learned counsel for the parties.

This is an appeal under Section 14A(2) 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 13.06.2018 in Special (SC/ST) Case No. 91 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Araria in connection with Fulkaha P.S. Case No. 14 of 2014 registered under Sections 147, 148, 149, 341, 323, 324, 436, 379, 354, 307, 302, 120B of the Indian Penal Code, Section 27 of the Arms Act as well as Sections 3(i)(iv)(v)(x)(xi)(xv), 3(2)(iii)(iv)(v)(vi) of the SC/ST Act.

Submission is that the appellants are not the assailants,



though they were member of the unlawful assembly. A Coordinate Bench of this Court has already granted bail to co-accused Bashishth Narain Singh @ Bashishth Singh and others, who were also member of the unlawful assembly, vide order dated 02.12.2014 passed in Cr. Misc. No. 31809 of 2014.

Considering the aforesaid facts, let the appellants, above named, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) each 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 appellants 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 appellants as well as condition that both the bailors shall be resident of within the territorial jurisdiction of the learned court below.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	24.07.2018
Transmission Date	24.07.2018

