

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1167 of 2018

Arising Out of PS. Case No.-99 Year-2017 Thana- NTPC District- Patna

Sanjiv Kumar Singh @ Sanjiv Singh @ Buchu, S/o Vijay Shankar Singh, r/o
Madhurapur, P.S. Teghra, Distt.- Begusarai.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 04-05-2018 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 against the refusal of prayer for regular bail by the learned Special Judge (SC/ST Act)-cum-5th Additional Sessions Judge, Patna, in connection with Special Case No. 783 of 2017, arising out of NTPC P.S. Case No. 99 of 2017, registered under Sections 448,323,325,353,307,332 of the Indian Penal Code, as well as under Section 3 (i)(r) of the SC/ST (Prevention of Atrocities) Act, 1989.

Police officer is the informant of this case. Allegation against the appellant is that when he was in police lock up at the police station he assaulted with iron rod to chaukidar Babulal Paswan with intent to commit his murder and get his escape.

Learned counsel for the appellant submits that the



appellant is in custody since 24.11.2017. Investigation of the case is already complete. Statement of Babulal Paswan was never recorded by the police during course of investigation nor his injury report is available on record. The entire concocted allegation is there because the informant wanted to drag the appellant in the present case also beside only one criminal case vide NTPC P.S. Case No. 98 of 2017 registered under Section 379/414 of the IPC.

Considering the entire facts aforesaid, 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, 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 appeal stands allowed.

(Birendra Kumar, J)

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