

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.451 of 2019

Arising Out of PS. Case No.-149 Year-2018 Thana- SAHARSA District- Saharsa

CHANDAN SINGH @ CHANDAN KUMAR SINGH aged about 20 years,
(M) Son of Nirmal Singh Resident of New Colony, Ward No.8,P.S and Distt.-
Saharsa.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Madhav Jha
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 12-03-2019 Heard learned counsel for the parties.

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 **27.11.2018** passed by learned **Additional Sessions Judge-1st cum-Special- Judge, Saharsa** in connection with **Saharsa Sadar P.S. Case No. 149 of 2018** registered under Sections 307 and 34 of the IPC, under Section 27 of the Arms Act and Section 3 (i) (r) (s) of SC/ST (Prevention of Atrocities) Act.

Informant has alleged in his fardbeyan that on 30.12.2018 at about 7:30 P.M. he was returning in the evening



along with his friend Munna @ Sanjay Singh and was proceeding to catch a bus and accused Chandan Singh and Vivek riding on a motorcycle came from behind and Chandan Singh fired from his pistol which hit the back of appellant and Vivek was driving the motorcycle and thereafter Chandan Singh fled away abusing by his caste name and he was taken away to hospital where he was being treated.

It has been submitted on behalf of the appellant that he is innocent and has been falsely implicated in this case. No motive have been disclosed for firing upon the informant. Appellant has got no criminal antecedent and is in custody since 28.09.2018,

Considering the nature of allegation and there is direct allegation against appellant of causing firearm injury on the back of informant, I am not inclined to enlarge the appellant on bail at this stage, hence, the prayer for bail of the appellant is hereby rejected.

However, it is observed that appellant may renew his prayer for bail, after one year of jail custody.

(S. Kumar, J)

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