

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.637 of 2019

Arising Out of PS. Case No.-7 Year-2017 Thana- PAKRIDAYAL District- East Champaran

Guddu Singh @ Niraj Kumar Singh Son of Hari Sharan Singh Resident of
Village - Ajarwa, P.S- Pakaridayal, Distt.- East Champaran

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Dhannjay Kumar No 2

For the Respondent/s : Mr. Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL JUDGMENT

Date : 06-05-2019

Heard learned counsel for the appellant and
learned Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act against the refusal of prayer for bail vide order
dated 09.01.2019 passed by learned 1st Addl. District Judge cum
Special Judge, East Champaran, Motihari in Pakaridayal P.S.
Case No. 7 of 2017 registered under Sections 302, 326, 307, 458
and 120(B) of the Indian Penal Code, Section 27 of the Arms
Act and Sections 3(2)(v)(a) of the Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act.

Four motorcycle borne criminals are said to have
arrived in front of the shop of the informant and resorted
indiscriminate firing by means of AK-47 inflicting injuries to



four persons. Out of them three succumbed to their injury while the fourth is undergoing treatment.

It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. He has been falsely implicated in the case. There is no eye witness of the occurrence. Appellant is not named in the F.I.R. There is nothing in the record indicating the complicity of the appellant in the occurrence barring the confessional statement of co-accused Vijay Singh and Nitesh Singh and aforesaid Vijay Singh and Nitesh Singh have been enlarged on bail by a co-ordinate Bench of this Court vide order dated 08.05.2017 and 28.06.2017 passed in Cr. Appeal (SJ) Nos. 1473 of 2017 and 1907 of 2017 respectively. Appellant is in custody since 28.11.2018.

Learned Spl. PP for the State opposed the prayer for bail.

In the facts and circumstances of the case, the above named appellant is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Addl. District Judge cum Special Judge, East Champaran, Motihari in connection with Pakaridayal P.S. Case No. 7 of 2017.



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

(Prakash Chandra Jaiswal, J)

mantreshwar/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
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