

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.450 of 2019

Arising Out of PS. Case No.-754 Year-2018 Thana- DEHRI TOWN District- Rohtas

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1. UPENDRA SINGH S/o Late Rajkeshwar Singh
 2. Ranjeet Singh @ Ranjeet Bahadur Singh Son of Vijay Bahadur Singh
 3. Dhiru Singh Son of Babban Singh
 4. Tinku Singh Son of Late Satish Kumar Singh @ Satish
- All are R/o village- Kirhindi, P.S- Sheosagar District Rohtas (Sasaram).

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Shashank Shekhar
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 07-02-2019

By way of this memo of appeal, preferred under Section 14(A) of the Scheduled Caste/Scheduled Tribes (Prevention of Atrocities) Act, 1989, appellants seek for setting aside the order dated 24.12.2018 passed in Dehri Town P.S.Case No.754 of 2018 in Regd. Case No.256 of 2016, for the offences punishable under Sections 341, 307, 120(B)/34 of the Indian Penal Code and Section 3(i)(r)(s)(w) of SC/ST)Prevention of Atrocities) Act and Section 27 of the Arms Act by the learned Additional Sessions Judge I cum Special Judge, SC/ST Act, Rohtas at Sasaram, whereby and where-under, the appellants' application for grant of anticipatory bail has been rejected.



Allegation as per FIR is that while the informant was going, four persons came on the motorcycle and tried to dash him but not succeeded and thereafter one person came and fired on him due to which he received injuries. It also appears that the person who has fired was co-accused Chandan Kumar Singh and also the person who was driving the motorcycle was Jetter Singh and against the petitioner no.4 it was stated that he was driving the motorcycle.

Submission of the learned counsel for the appellant is that no specific allegation has been attributed against the appellant nos. 1 and 3.

So far appellant nos.3 and 4 are concerned, it is stated that they were driving the motorcycle. It further appears that the appellant nos. 1, 3 and 4 have criminal antecedent.

Heard learned Special P.P. also.

Having heard both sides and in view of allegation as well as criminal antecedent, so far petitioner nos. 1 Upendra Singh, 3. Dhiru Singh and 4. Tinku Singh are concerned, I am not inclined to grant privilege of the anticipatory bail rather let the appellant nos.1, 3 and 4 surrender before the learned Special Judge within a period of six weeks from the date of receipt of the order and make prayer for regular bail, which will be considered on the



basis of materials available on the record, without being prejudiced by the order of this Court.

So far appellant no.2 Ranjeet Singh @ Ranjeet Bahadur Singh is concerned, let the appellant no.2 in the event of his arrest or surrender before the learned court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge I cum Special Judge SC/ST Act, Rohtas at Sasaram in connection with Dehri Town P.S.Case No.754 of 2018 in Regd. Case No.256 of 2018, subject to condition as laid down under Section 438 of Cr.P.C.

Accordingly, this application is disposed of.

(Vinod Kumar Sinha, J)

chn/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	8.2.2019
Transmission Date	8.2.2019

