

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.724 of 2019**

Arising Out of PS. Case No.-100 Year-2018 Thana- HAYAGHAT District- Darbhanga

Satendra Kumar Singh @ Sikindra Singh @ Sikandar Kumar Singh, aged about 30 years, Male, S/o Veerendra Singh @ Virendra Prasad Singh, village -Auliyabad, P.S - Hayaghat, District-Darbhangha

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Kameshwar Singh, Adv.
For the Respondent/s : Mr.Usha Kumari 1(APP)

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER**

3 25-03-2019 Heard the parties.

This is an appeal under Section 14(A) (2) of SC & ST (Prevention of Atrocities) Act, against the refusal of prayer for bail by order dated 18.01.2019 passed by learned 1st Additional District and Sessions Judge-cum-Special Judge (CS/ST) Act, Darbhanga, in connection with Hayaghat P.S. Case No. 100 of 2018, (SC/ST G.R. No. 236 of 2018) registered under Sections 147, 148, 149, 341, 342, 323, 324, 307, 338, 504, 506 of the Indian Penal Code and Section 3 (i) (r) (s) (w) of SC /ST (Prevention of Atrocities) Act.

Informant in his written complaint has alleged that 20-25 persons named in the F.I.R. entered his house and abused and assaulted him and other persons belonging to his



community and also abused him by his caste name. There is no allegation against appellant of committing any over act. Similarly placed co-accused have been granted bail by this court and by co-ordinate bench of this court vide order dated 13.02.2019 and 05.03.2019 passed in Cr. Appeal (S.J.) No. 192 of 2019 and Cr. Appeal (S.J.) No. 489 of 2019 respectively. Appellant has no criminal antecedent and is in custody since 14.01.2019.

Considering the aforesaid facts and circumstances of the case, let the appellant named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) 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, with following conditions :

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and their absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (3) If the appellant tampers with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the appellant.

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

(S. Kumar, J)

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