

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1073 of 2019**

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

JETOR SINGH, aged about 32 years, (M) Son of Sri Arvind Singh Resident
of Village - Kirhindi, P.S.- Sheosagar, Distt.- Rohtas (Sasaram)

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Nilesh Kumar
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 28-03-2019 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 **26.02.2019** passed by 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** registered under Sections 341, 307, 120(B) and 34 of the IPC and Section 3 (i) (r) (s) (w) of SC/ST (Prevention of Atrocities) Act.

Informant has alleged in his fardbeyan that on



24.08.2018 at about 8:30 AM he was going to school on foot, four miscreants riding on two motorcycles came near him and tried to dash him and from said motorcycle one miscreant came down and fired upon him as a result of which he fell down and thereafter a second of firing was also made and on hearing the sound of firing nearby shopkeeper came upon which all four miscreants fled away with their motorcycles.

It has been submitted on behalf of the appellant that he is innocent and has been falsely implicated in this case. Allegation of firing is upon Chandan Kumar Singh who was pillion rider on the motorcycle which was being driven by appellant. There is no allegation of any firing being made by appellant. There is admitted dispute between the parties and there is long enmity and litigation between the families. Appellant is in custody since 17.01.2019.

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/- 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 the Court and his absence on two consecutive dates without sufficient reason, 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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