

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.47 of 2019

Arising Out of PS. Case No.-45 Year-2018 Thana- NTPC District- Patna

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Jitendra Singh Son of Late Lakho Singh Resident of village- Mojahidupur,
Police Station- N.T.P.C. Barh district- Patna.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Anil Kumar Singh

For the Respondent/s : Mr.Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

6 13-02-2019 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 22.11.2018 passed by learned **Additional District & Sessions Judge-4th-cum-Special Judge SC and ST, Patna** in connection with **Special Case No.333 of 2018 arising out of N.T.P.C. P.S. Case No. 45 of 2018** registered under Sections 447, 341, 323, 307, 504 and 34 of the IPC and Section 3 (i) (r) of SC/ST (Prevention of Atrocities) Act.

Informant in his written complaint has alleged that on 30.06.2018 at about 11 am while he was having discussion with her aunty at his door FIR named accused Jitendra Singh (petitioner) and Amit Kumar came and started abusing him and



on protest being made Jitendra Singh (petitioner) inflicted knife blow on his head as a result of which he sustained cut injury.

It has been submitted on behalf of Appellant that as per injury report nature of injury has been found to be simple and there is land dispute between the parties. Appellant has got no criminal antecedent and is in custody since 22.11.2018.

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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