

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1552 of 2019

Arising Out of PS. Case No.-205 Year-2016 Thana- GAURICHAK District- Patna

1. SHAIENDRA KUMAR SINGH Son of Satya Narayan Singh, Resident of village- Jaiwar, Police Station Gaurichak, District- Patna.
2. Sumant Singh @ Ranjeet, Son of Satya Narayan Singh, Resident of village- Jaiwar, Police Station Gaurichak, District- Patna.
3. Manjit Singh Son of Satya Narayan Singh, Resident of village- Jaiwar, Police Station Gaurichak, District- Patna.
4. Banti Kumar Singh @ Amarjeet Kumar @ Banti Kumar Son of Gajendra Singh, Resident of village- Jaiwar, Police Station Gaurichak, District- Patna.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Shivendra Kumar Sinha

For the Respondent/s : Mr.Usha Kumari I

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL JUDGMENT

Date : 23-05-2019

Heard learned counsel for the parties.

This appeal under Section 14A(2) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 has been directed against the order dated 16.03.2019 passed by learned Special Judge SC/ST Act, Patna in connection with Gaurichak P.S. Case No. 205 of 2016 registered under Sections 341, 323, 447, 504, 506 and 34 of the Indian Penal Code and Section 3(X)(XI) of SC/ST (POA) Act, whereby the prayer for pre-arrest bail of the appellants has been rejected.

Learned counsel appearing for the appellants submits that the appellants are innocent and have not committed



any offence. In fact, the F.I.R has been lodged after lapse of two months from the date of occurrence without explaining the plausible delay which creates doubt over the prosecution version. No specific case is made out against these appellants. Hence, the appellants may be granted the privilege of pre-arrest bail.

Considering the facts and circumstances of the case, let the above named appellants in the event of their surrender within a period of four weeks be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, SC/ST Act, Patna in connection with Gaurichak P.S. Case No. 205 of 2016 subject to the conditions laid down under Section 438(2) of the Cr.P.C.

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

(Arvind Srivastava, J)

Brajesh/-

Uploading Date	
Transmission Date	

