

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1995 of 2019

Arising Out of PS. Case No.-150 Year-2018 Thana- PANCHRUKHI District- Siwan

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CHHATHU KUMAR SINGH Son of Chhotan Singh Resident of Village-
Sahlaur, Police Station- Sarai O.P., District- Siwan.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Raghav Prasad

For the Respondent/s : Mr.Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA

ORAL JUDGMENT

Date : 17-05-2019

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 16.04.2019 passed by learned Additional Sessions Judge-1st -cum- Special Judge, Siwan in connection with Pachrukhi (Sarai) P.S. Case No. 150 of 2018 registered under Sections 147, 148, 149, 323, 341, 342, 333, 353, and 307 of the Indian Penal Code and Section 3(1)(R)(S)/ 3(2) (Va) of SC/ST (POA) Act, whereby the prayer for pre-arrest bail of the appellants has been rejected.

Learned counsel appearing for the appellant submits that the appellant who is of clean antecedent, is innocent and has not committed any offence. In fact, the co-accused namely Guddu Kmar and Ajay Kumar having more or less similar



allegations have already been granted anticipatory bail by a co-ordinate Bench of this Court in Cr. Appeal (S.J.) No. 2954 of 2018 and the case of the appellant stands of similar footing. Hence, the appellant 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) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I -cum- Special Judge, Siwan in connection with Pachrukhi (Sarai) P.S. Case No. 150 of 2018 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/-

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