

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2369 of 2019

Arising Out of PS. Case No.-187 Year-2019 Thana- MOTIHARI MUFASIL District- East
Champaran

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BIJENDRA KUMAR @ BIJENDRA SINGH @ BIJENDRA KUMAR
SINGH Son of Late Shiv Kumar Singh Resident of Village - Bankat, P.S.-
Mufasil, Distt - East Champaran.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Ranjay Kumar Singh
For the Respondent/s : Mr.Binay Krishna

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

4 11-07-2019 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

This is an appeal under Section 14 (A) (2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST
Act”) against the refusal of prayer for bail vide order dated
24.05.2019 passed by learned 1st Additional Sessions Judge-
Cum- Special Judge, SC/ST Act, East Champaran, in connection
with Muffasil P.S. Case No. 187 of 2019, registered under
Sections 341, 323, 307, 337, 338/34 of the Indian Penal Code
and also under Section 3 (1) (d) (r) (s) of the Scheduled Castes
and Scheduled Tribes (Prevention of Atrocities) Act.



On shifting of the Dr. D.P. Kothari, guest of the seminars from the room of the hotel S.S. Exotica, as the A.C. of the said room was defunct, staff of the said hotel on the exhortation of the owner slated the students and assaulted Kunwar Paswan and Manoj Kumar locking in the room.

It is submitted by the learned counsel for the appellant that no such occurrence as alleged ever took place. He has no concern with the aforesaid occurrence. He is not named in the F.I.R.. He also does not happen to be the owner of the aforesaid hotel rather he is father of its owner. There is no allegation of any sort made against the appellant. There is case and counter case between the parties. Two F.I.R has been lodged regarding the same P.S. case and the appellant has been enlarged on bail in another case. Injuries sustained by the Manoj Kumar is simple in nature likewise injury sustained by the Kunwar Paswan is also simple in nature barring one fractured injury on his finger. He has been languishing in custody since 10.5.2019.

Learned Spl. P.P. for the State opposed the prayer for bail.

In the facts and circumstances of the case, the above named appellant is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of the learned
1st Additional Sessions Judge, SC/ST (POA) Act, East
Champaran in connection with Muffasil P.S. Case No. 187 of
2019.

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

(Prakash Chandra Jaiswal, J)

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