

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2836 of 2019

Arising Out of PS. Case No.-7 Year-2019 Thana- SC/ST BAGHA District- West Champaran

Manish Singh Son of Kamlesh Singh Resident of Village- Nuniyaptti, P.S.-
Bhairoganj, District- West Champaran

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Vijay Kr Singh No. 1
For the Respondent/s : Mr. Binay Krishna

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

ORAL ORDER

2 18-07-2019 Heard learned counsel for the appellant and learned
Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act against the refusal of prayer for bail vide order dated 15.06.2019 passed by learned 1st Addl. Sessions Judge-cum-Special Judge, SC/ST/POCSO, Bettiah, West Champaran in Bagaha SC/ST P.S. Case No. 7 of 2019 registered under Sections 341, 323, 324, 307, 504, 506/34 of the Indian Penal Code and Section 3(i)(r)(s), 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Over lodging of the case by the Bhabhi of the informant, all the accused persons surrounded the informant and



his Bhabhi and Manish Singh slated the informant and his Bhabhi in the name of their caste and on protest made by the informant, Santosh Singh assaulted him by fist and slap and on the order of Kamlesh Singh, Manish Singh assaulted on his head by means of rod inflicting head injury to him.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. He has been falsely implicated in this case due to land dispute. Initially on examination, no external injury was found on person of the informant but subsequently one injury on his head was reported by the doctor after one month which is simple in nature. Appellant has been languishing in custody since 06.04.2019.

Learned Spl. PP 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions Judge-cum-Special Judge, SC/ST/POCSO, Bettiah, West Champaran in connection with Bagaha SC/ST P.S. Case No. 7 of 2019.

Accordingly, the impugned order is set aside and



appeal is allowed.

(Prakash Chandra Jaiswal, J)

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