

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3095 of 2019

Arising Out of PS. Case No.-60 Year-2017 Thana- NOKHA District- Rohtas

1. CHANCHAL SINGH @ SANTOSH SINGH Son of Sudama Singh Resident of Village - Baraon, P.S.- Nokha, Dist.- Rohtas.
2. Munna Singh @ Abhay Singh Son of Sudama Singh Resident of Village - Baraon, P.S.- Nokha, Dist.- Rohtas.
3. Krishana Singh Son of Kailash Singh Resident of Village - Baraon, P.S.- Nokha, Dist.- Rohtas.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rajkumar Rajesh
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

5 18-11-2019 Heard learned counsel for the appellants and learned
Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the SC/ST Act against the refusal of prayer for anticipatory bail vide order dated 11.03.2019 and 26.03.2019 passed by learned 1st Addl. Sessions Judge cum Spl. Court, SC/ST, Rohtas at Sasaram in Nokha P.S. Case No. 60 of 2017 registered under Sections 147, 148, 149, 341, 323, 325, 354 and 307 of the Indian Penal Code and Section 3(i)(r) of the SC/ST Act.

While informant was sitting at his door along with his family members, 16 named accused persons including the



appellants descended there armed with lathi, danda, gun, etc. and made attack on them. Appellants Munna Singh and Chanchal Singh tore the attire of Dularo Devi and dragged her with bad intention while Krishna Singh assaulted on the head of Santosh Prasad along with Mohan Singh and Amresh Singh and other accused persons assaulted other family members of the informant.

It is submitted by learned counsel for the appellants that no such occurrence as alleged ever took place. Appellants have been falsely implicated in the case. There is case and counter case between the parties. The case of the appellants is earlier to the case under hand. Victim Santosh Prasad has sustained single head injury which is simple in nature. The allegation levelled against the appellants is not specific rather general and omnibus in nature. There is no allegation of slating the informant in the name of his caste against the appellants. Appellants have no criminal antecedent.

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

Having regard to the facts and circumstances of the case, let the above named appellants, be released on bail, in the event of their arrest or surrender before the learned Court below



within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions Judge cum Spl. Judge, Sasaram in connection with Nokha P.S. Case No. 60 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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

(Prakash Chandra Jaiswal, J)

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