

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3572 of 2019

Arising Out of PS. Case No.-547 Year-2019 Thana- BIHTA District- Patna

Suryaveer Singh Son of Hirdaya Narayan Singh Resident of Village -
Bindaul, P.S.- Bihta, District- Patna

... .. Appellant.

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Pawan Kumar Singh

For the Respondent/s : Mrs. Usha Kumari 1

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

ORAL ORDER

3 24-09-2019 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 in short referred to as the 'SC/ST Act') against the refusal of prayer for bail vide order dated 11.07.2019 passed by learned Additional Sessions Judge- XIII-cum Special Judge SC/ST Act, Patna in connection with Bihta P.S. Case No.547 of 2019 registered under Section 302/34 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(2) (v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

On protest made by the informant against his eviction from his Parcha land 16 named accused persons including the appellant armed with weapon descended at his



house in the mid night and Rakesh Singh resorted firing on the head of his father while Niraj Singh on the left hand of his father and his father who succumbed to injury. Then all the accused persons left the scene slating him.

It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. Appellant has been falsely implicated in the case due to animosity by the witness Manohar Paswan who has also lodged case against him. The allegation levelled against the appellant is not specific rather general and omnibus in nature. Appellant does not happen to be assailant rather Rakesh Singh and Niraj Singh are the assailants. Appellant has no criminal antecedent barring one case lodged by the witness Manohar Paswan bearing Bihta P.S. Case No.520 of 2019. Appellant has been languishing in custody since 18.06.2019.

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 released 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 Additional Sessions Judge-XIII-cum Special Judge



SC/ST Act, Patna in connection with Bihta P.S. Case No.547 of 2019.

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

(Prakash Chandra Jaiswal, J)

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