

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3736 of 2019

Arising Out of PS. Case No.-175 Year-2019 Thana- PATAHI District- East Champaran

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Rajesh Kumar Singh, Son of Jay Ganesh Singh Resident of Village -
Kumharar, P.S.- Phenhara, Distt - East Champaran.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Abhishek Kumar @ Sonu Babu, Adv.

For the Respondent/s : Mr. Binay Krishna, Special P.P.

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

ORAL ORDER

4 04-11-2019 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 01.08.2019 passed by learned 1st Additional Sessions
Judge cum Special Judge SC/ST (POA) Act, East Champaran
at Motihari in connection with Patahi P.S. Case No. 175 of
2019 registered under Sections 302, 394 & 120-B of the
Indian Penal Code and Section 3(2) (v) (r) (s) of the
Scheduled Castes and Scheduled Tribes (Prevention of



Atrocities) Act.

Father of the informant is said to have been gunned down by some motorcycle borne criminals in course of regressing to the house.

It is submitted by learned counsel for the appellant has no concern with the aforesaid occurrence. There is no cogent material on record indicating complicity of the appellant in the occurrence barring the confessional statement of co-accused Anil Kumar before the police which has no evidentiary value in the eye of law. Moreover, as per said confessional the appellant does not happen to be assailant rather merely tracked the location of the deceased. Appellant has no criminal antecedent and has been languishing in custody since 13.06.2019.

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 1st Additional Sessions Judge cum Special Judge SC/ST (POA) Act, East Champaran at Motihari in



connection with Patahi P.S. Case No. 175 of 2019.

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

(Prakash Chandra Jaiswal, J)

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