

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4412 of 2019

Arising Out of PS. Case No.-201 Year-2018 Thana- RAJAPAKAR District- Vaishali

Subham Kumar Singh @ Shubham Kumar, Son of Rakesh Kumar Singh @
Rakesh Singh, Resident of Village - Nirpur Bariarpur Tole, P.S.- Raja Pakar,
District- Vaishali at Hajipur

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Nawal Kishore Singh

For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 16-12-2019 Heard learned counsel for the appellant and learned
Spl. P.P. for the State.

The appellant in the present case is challenging the order dated 19.08.2019 passed by learned Additional Sessions Judge Ist-cum-Special Judge, Vaishali at Hajipur in ABP No.1974 of 2019 arising out of Rajapakar P.S. Case No.201 of 2018 registered for the offences punishable under Sections 341, 323, 307 and 504/34 of the Indian Penal Code and Sections 3(i)(r)(s) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.

Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in this case. Learned counsel submits that there are general and



omnibus allegations against the appellant.

Learned Spl. P.P. for the State is present and has opposed the prayer for bail.

Considering the facts and circumstances of the case that there are general and omnibus allegations against the appellant and the similarly situated accused have been granted privilege of anticipatory bail by a learned coordinate Bench of this Court in Criminal Appeal (SJ) No.4199 of 2019, the appellant having no criminal antecedent, this Court hereby sets aside the impugned order in so far as it relates to the appellant and directs that in the event of arrest or surrender of the appellant within a period of four weeks from today, the appellant shall be enlarged on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, Ist-cum-Special Judge, Vaishali at Hajipur in connection with Rajapakar P.S. Case No.201 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or



indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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