

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4708 of 2019

Arising Out of PS. Case No.-466 Year-2019 Thana- HAJIPUR District- Vaishali

KUNAL KUMAR SINGH @ KUNAL SINGH Son of Diwakar Singh
Resident of Village- Panapur Dharampur, P.S- Vidupur, District- Vaishali.

... .. Appellant.

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Y. V. Giri, Sr. Advocate.

Mr. Sumit Kumar Jha, Advocate.

For the Respondent/s : Mr. Sadanand Paswan, Special P.P.

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

ORAL ORDER

3 07-11-2019 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 31.08.2019 passed by learned 1st Additional Sessions Judge, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 466 of 2019 registered under Sections 341, 342 & 307/34 of the Indian Penal Code, later on added Sections 186, 341, 324, 326 and 307 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(1) (r) (s), 3 (2) (v) of the Scheduled Castes and Scheduled Tribes (Prevention of



Atrocities) Act.

In course of producing under trial prisoner Manish Kumar Singh in the Court of A.C.J.M.-III, Vaishali at Hajipur some unknown miscreants resorted firing resultantly the said accused and two police personnel sustained injury.

It is submitted by learned counsel for the appellant that he has no concern with the aforesaid occurrence. He has been falsely implicated in the case. There is nothing cogent on record indicating the complicity of the appellant in the occurrence barring his confessional statement made before the police which has no evidentiary value in the eye of law. Moreover as per said statement he had only lined up and is not an assailant. None of the injured witness has named the appellant in the occurrence. Appellant has been languishing in custody since 26.08.2019.

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, Vaishali at



Hajipur in connection with Hajipur Town P.S. Case No. 466
of 2019.

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

(Prakash Chandra Jaiswal, J)

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