

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4840 of 2018

Arising Out of PS. Case No.-213 Year-2016 Thana- MANJHAGARH District- Gopalganj

Paras Singh, son of Late Brahama Singh, Resident of Village- Bergachhiya,
P.S. Manjhagarh, District- Gopalganj.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Naresh Chandra Verma
For the Respondent/s : Mr.Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 08-01-2019 Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail by order dated 17.11.2018 passed by learned 1st Additional Sessions Judge, Gopalganj cum Special Judge, SC/ST Act, in Manjhagarh P.S. Case No. 213 of 2016 registered under Sections 341, 323, 504, 436, 506 and 34 of the Indian Penal Code and Section 3(i) (ix) of the SC/ST Prevention of Atrocities Act.

Informant has alleged in her written complaint that she had gone to the house of appellant for demanding her wages for cleaning of paddy crops but same was denied and she was abused by her caste name and also assaulted and it is further alleged that in the night her residential palani was set ablaze by



sprinkling kerosene oil.

It has been submitted on behalf of the appellant that he is innocent and has been falsely implicated in this case due to land dispute between the parties. The allegations of abused and assault is false and concocted and police during investigation has not found any evidence of Palani of informant being set on fire. Appellant has no criminal antecedent and he is in custody since 04.11.2018.

Considering the aforesaid facts and circumstances of the case, let the appellant named above be released on bail upon furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with aforesaid case, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the appellant tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the appellant.



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

(S. Kumar, J)

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