

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.110 of 2020**

Arising Out of PS. Case No.-392 Year-2019 Thana- DHAKA District- East Champaran

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HARI SINGH Son of Shiv Mangal Singh, Resident of Village- Vikrampur,
P.S.- Dhaka, District- East Champaran.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Anil Kumar
For the Respondent/s : Mr.Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 02-06-2020 Heard Mr. Anil Kumar, learned counsel for the

appellant and Mr. Binay Krishna, learned counsel for the State

through virtual court proceeding.

In this case, the appellant is seeking bail in connection
with Dhaka P.S. Case No.392 of 2019 registered for offence
punishable under sections 147, 148, 149, 448, 341, 323, 324,
427, 325, 354, 379, 307, 504 of the Indian Penal Code and
section 3 (i) (r) (s) of the SC/ST Act.

Allegation is of abusing and assaulting the victim.

Learned counsel for the appellant submits that on
account of throwing garbage, scuffle took place between the
parties and there is case and counter case from both sides. He
further submits that a panchayati was made, no injury has been
received by the informant's side, the petitioner has falsely



been implicated in the present and he is in custody since 23.10.2019.

Looking to the entire facts and circumstances of the case, the appellant, named above, is directed to be released on bail on furnishing his personal bond to the satisfaction of 1st Additional Sessions Judge-cum-Special Judge SC/ST Act, East Champaran at Motihari in connection with Dhaka P.S. Case No.392 of 2019, subject to the condition that the appellant shall fully cooperate with the investigation/trial of the case, failing which, the court below shall be at liberty to cancel the bail bonds of the appellant.

Accordingly, the impugned order dated 07.12.2019 passed by 1st Additional Sessions Judge-cum-Special Judge SC/ST Act, East Champaran at Motihari in Dhaka P.S. Case No.392 of 2019 is set aside and the appeal is allowed.

(Shivaji Pandey, J)

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