

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No. 200 of 2020**

Along with

Interlocutory Application No. 01 of 2020

Arising Out of PS Case No.-99 Year-2019 Thana- JAMALPUR District- Munger

=====

Sandeep Verma @ Sandeep Kumar Varma, Male aged about 40 years, Son of
Umesh Verma @ Umesh Prasad Verma @ Umesh Kumar Verma, Resident of
Mohalla - Chhoti Daulatpur, P.S.- Jamalpur, District - Munger.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Amarnath Jha, Advocate

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

=====

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 01-06-2020

The matter has been heard *via* video conferencing due to lockdown imposed on account of the COVID-19 pandemic.

2. Heard Mr. Amarnath Jha, learned counsel for the appellant and Mr. Sadanand Paswan, learned Special Public Prosecutor (hereinafter referred to as the 'Spl. PP') for the State.

3. Interlocutory Application No. 01 of 2020 has been filed on behalf of the appellant for condonation of delay of 77



days in filing of the appeal. Having considered the submissions of learned counsel for the parties and the grounds taken in the Interlocutory Application, the Court finds that sufficient cause has been shown for such delay. Accordingly, the delay in filing of the appeal stands condoned and Interlocutory Application No. 01 of 2020 stands disposed off.

4. The appellant is in custody in connection with Jamalpur PS Case No. 99 of 2019 dated 11.05.2019 instituted under Sections 147, 148, 149, 302, 504 and 506 of the Indian Penal Code and 3(2)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

5. Earlier his application for bail was rejected by a co-ordinate Bench on 05.09.2019 by a common order, along with that of co-accused Kundan Kumar. However, the Court had observed that after framing of charge, they may renew their prayer for bail.

6. The allegation against the appellant and seven other named and 3-4 unknown accused is of assault by iron rod, hockey stick etc. on the victim leading to his death.

7. Learned counsel for the appellant submitted that he is a school teacher and lives in the same locality as the deceased and has been falsify implicated. It was submitted that because of his presence at the place of occurrence, he has been made an accused



without having taken part in the incident. Learned counsel submitted that the appellant is in custody since 12.05.2019. It was submitted that co-accused Sonu Kumar and Kundan Kumar have been granted bail on 27.05.2020. Learned counsel submitted that the appellant has no other criminal antecedent.

8. Learned APP submitted that the mother of the deceased is an eye witness and the postmortem report discloses two head injuries and four injuries on other parts of the body and, thus, the appellant was also active in the assault.

9. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the appellant be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (SC/ST Act)-cum-ADJ, Ist, Munger in Jamalpur PS Case No. 99 of 2019 subject to the conditions (i) that one of the bailors shall be a close relative of the appellant, (ii) that the appellant and the bailors shall execute bond with regard to good behaviour of the appellant, and (iii) that the appellant shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The



appellant shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

10. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J.)

P.Kumar/Anand Kr.

AFR/NAFR	
U	
T	

