

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.252 of 2020

Arising Out of PS. Case No.-23 Year-2018 Thana- SC/ST District- Nawada

SHRI SINGH Son of Late Harinandan Singh Resident of Village - Tetaru,
P.S.- Atari, Distt.- Gaya.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Raj Kumar

For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 05-02-2020 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 refusal of the prayer for bail by order dated 02.01.2020 in B.P. No. 3411 of 2019 (Spl. Case 180 of 2018) passed by learned A.D.J.-I-cum- Spl. Judge SC/ST Act, Nawada in connection with Nawada SC/ST P.S. Case No. 23 of 2018, registered under Sections 341, 323, 325, 307, 302/34 of the Indian Penal Code as well as Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The main allegation of commission of assault is against co-accused Tuntun Singh. Further, allegation is that Tuntun Singh along with his criminal associates including the



appellant took the deceased on a four wheeler and threw the deceased from the running vehicle as a result whereof victim died.

Considering the fact that there is no material to specify that the appellant is one of the person who had actually participated in throwing the deceased out of the vehicle, let the appellant, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with the aforesaid case, with condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further 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 bond of the appellant.

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

(Birendra Kumar, J)

Ranjeet/Gaurav

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