

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1292 of 2020

Arising Out of PS. Case No.-83 Year-2019 Thana- PHENHARA District- East Champaran

TUTU SINGH @ AMRENDRA KUMAR @ AMRENDRA SINGH S/o
Satendra Singh Resident of Village- Vishunpur Bashant, P.S.- Phenhara, Distt-
East Champaran

... .. Appellant

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant : Mr.Ajay Kumar Singh, Advocate
For the Respondent : Usha Kumari 1, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-06-2020 This matter is taken up for consideration through
Video Conferencing under the orders of Hon'ble the Chief
Justice.

Heard learned counsel for the parties.

The appellant has challenged impugned order dated
17.2.2020, passed by the Court below in a case filed for offence
punishable under sections 379/34 and other allied sections of the
Indian Penal Code read with section 3 of the SC/ST Act.

It is alleged that when the informant's driver was
returning after dropping the seed in the field, the appellant and
other accused persons assaulted the driver by fists and slaps.
They also demand of earnings of the tractor. Appellant is further
alleged to have given knife blow on the head of nephew of the



informant.

It is submitted by learned counsel for the appellant that the appellant has falsely been implicated in this case. He submits that in fact driver of the informant had damaged some crops which ensued minor scuffle between the parties. The doctor has found the injuries to be simple in nature. Appellant is in custody since 20.1.2020.

Taking into consideration the facts and circumstances of the case, the impugned order dated 17.2.2020 is set aside and the appeal is allowed.

Let the appellant, above named, 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 Additional Sessions Judge I cum Special Judge, SC/ST Act, East Champaran at Motihari in Phenara Police Station Case No. 83 of 2019, on the following conditions:-

(1) Appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, their bail-bonds shall be cancelled by the Court below.

(2) If the appellant tampers with the evidence or



witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Prabhat Kumar Singh, J)

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