

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1294 of 2020**

Arising Out of PS. Case No.-72 Year-2019 Thana- TEYAR District- Bhojpur

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SHEOJEE SINGH S/o Late Lalan Singh Resident of Village- Rangrua, P.S.-
Tiyar, Distt- Bhojpur.

... .. Appellant

Versus

The State of Bihar

... .. Respondent

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Appearance :

For the Appellant/s : Mr.Manoj Kumar, Advocate
For the Respondent/s : Mr.Binay Krishna, Addl Public Prosecutor

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 06-07-2020 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
4.3.2020, passed by the Court below in a case filed for offence
punishable under section 307/34 and other allied sections of the
Indian Penal Code read with section 3 of the SC/ST Act and
under the Arms Act.

Prosecution's case in short is that the appellant called
the informant by his caste name and he also assaulted the



informant by rod. It is further alleged that on his order, co-accused Manoranjan Singh caused fire arms injury on the informant's arms.

It is submitted by learned counsel for the appellant that the appellant has falsely been implicated in this case due to old land dispute (Annexure 3). He submits that the case has been lodged after delay of two days without any explanation and in fact no injury had been received by the informant. Appellant is in custody though he has no criminal antecedent.

Taking into consideration the facts and circumstances of the case, the impugned order dated 4.3.2020 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, Bhojpur at Ara in SC/ST Case No.124/2019/Tiar Police Station Case No. 72 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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