

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1614 of 2020**

Arising Out of PS. Case No.-680 Year-2019 Thana- JAMUI District- Jamui

SALU SINGH Son of Kishore Singh Resident of Village maniadda, P.S.
Jamui, District Jamui.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Pankaj Kumar Sinha, Adv.

For the Respondent/s : Mr. Sadanand Paswan, Spl. P.P.

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 21-12-2020 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State, through video
conferencing.

The instant appeal has been filed by the appellant against the order dated 15.6.2020 passed by the learned Additional District and Sessions Judge-I-cum-Special Judge, Jamui, whereby the prayer for bail of the appellant in connection with Jamui P.S. Case No. 680 of 2019 registered under sections 307 and 34 of the Indian Penal Code, section 27 of the Arms Act and sections 3(1)(r), 3(1)(s) and 3(2)(va) of the SC and ST (Prevention of Atrocities) Act, was rejected.

As per allegation in the FIR, it is stated by the informant that while he along with others were seated, the accused persons including the appellant and one Ashu Singh



came armed with pistol etc, abused the informant in the name of his caste and started to fire as a result of which the informant and Purushottam Kumar sustained gun shot injury.

It is submitted by learned counsel for the appellant that the allegations as levelled in the FIR are false and concocted. The informant is a man of bad antecedents and having sustained injuries elsewhere, has filed the instant case falsely implicating the appellant because of village politics. It is submitted that the FIR named co-accused Ashu Singh has been enlarged on bail vide order passed in Cr. Appeal (SJ) no. 1477 of 2020. The allegations are general and omnibus in nature and the appellant is in custody since 28.1.2020.

The appeal is opposed by learned Spl. P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the appellant, together with grant of bail to co-accused Ashu Singh and the period in custody of the appellant, the Court is inclined to allow this appeal. The appeal is allowed and the order dated 15.6.2020 impugned herein is set aside.

The appellant is directed to be enlarged on bail in connection with Jamui P.S. Case No. 680 of 2019 (G.R. No.



3649 of 2019) on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-I-cum-Special Court, Jamui.

(Partha Sarthy, J)

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