

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1757 of 2020**

Arising Out of PS. Case No.-60 Year-2020 Thana- TARARI District- Bhojpur

RAJESH SINGH S/o Bachcha Singh Resident of Village-Durgpur, P.S.-
Tarari, District-Bhojpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Brajesh Prasad Gupta, 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 22.6.2020 passed by the learned 1st Additional Sessions Judge, Bhojpur, Ara, whereby the prayer for bail of the appellant in connection with Tarari P.S. Case No. 60 of 2020 registered under sections 376, 307, 452, 511 and 34 of the Indian Penal Code, section 27 of the Arms Act and section 3(1)(r)(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 on hulla being raised by his wife, he saw the accused persons including the appellant herein and one Rajesh



Singh along with others running away. On the informant giving them a chase, it is stated that the accused persons fired on the informant as a result of which he sustained injuries. It is stated that the accused persons made an attempt to rape his wife.

It is submitted by learned counsel for the appellant that the allegations as narrated in the FIR are false and concocted. The allegations are general and omnibus in nature. The co-accused Akhilesh Kumar has been enlarged on bail vide order dated 15.12.2020 passed in Cr. Appeal (SJ) No. 1461 of 2020. The appellant is in custody since 7.4.2020 and the investigation in the case has concluded.

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

Having heard learned counsel for the parties and taking into consideration the allegation being general and omnibus in nature, grant of bail to co-accused Akhilesh Kumar, the appellant having no criminal antecedent and the period in custody, the Court is inclined to allow this appeal. The appeal is allowed and the order dated 22.6.2020 impugned herein is set aside.

The appellant is directed to be enlarged on bail in connection with SC/ST Case no. 65 of 2020 (arising out of



Tarari P.S. Case No. 60 of 2020 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 1st Additional
Sessions Judge, Bhojpur, Ara.

(Partha Sarthy, J)

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