

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4157 of 2019

Arising Out of PS. Case No.-10 Year-2017 Thana- PIPRA District- East Champaran

KUNAL SINGH Son of Asharfi Singh Resident of Village - Kudiya
(Bangari), P.S. - Pipra Kothi, Dist. - East Champaran.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Amit Kumar, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 29-01-2020

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail vide order dated 12.06.2019 in S.T. No. 108 of 2017 arising out of Pipra P.S. Case No. 10 of 2017 passed by the learned 1st Additional Sessions Judge-cum-Special Judge POCSO, East Champaran, Motihari in connection with the aforesaid case registered under Sections 302, 120(B) of the Indian Penal Code, Section 27 of the Arms Act as well as Section 3(2)(v) of the SC/ST Act.

It appears that co-accused, Pushkar Singh has already been allowed bail by this Court in Cr. Appeal (SJ) No. 1735 of 2018, after noticing the inconsistency in the prosecution statement



of commission of firearm injury at the back of the deceased, whereas the medical opinion was that the injury was found at the chest.

Hence, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with the aforesaid case, subject to the following conditions:-

(a) 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.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(c) The appellant shall not leave the country without permission of the learned trial court.

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

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	01.02.2020
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