

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4353 of 2019

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

SONU SINGH Son of Shambhu Singh Resident of Village - Kunwapur, P.S. -
Pipra, District - East Champaran.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Umesh Chandra Verma
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 05-02-2020 Heard learned counsel for the Parties.

This is an appeal under Section 14(A)(2) of SC & ST
(Prevention of Atrocities) Amendment Act, against the refusal
of prayer for bail by order dated 24.09.2018 passed by learned
1st Additional Sessions Judge-Cum-Special Judge, East
Champaran, Motihari, in connection with Pipra P.S. Case No.
10/17 registered under Sections 302/120B of the Indian Penal
Code, Section 27 of Arms Act and Section 3(2)(v)SC/ST (POA)
Act.

Petitioner had earlier moved this Court for regular bail
vide Cr. Appeal (SJ) No. 4617 of 2018 which was rejected on
27.02.2019 with a direction that petitioner may renew his prayer
for bail after one year of custody.

Informant has alleged in his written complaint that



while he was returning alongwith Vinod Thakur whereas his brother Rajkapoor Thakur was pillion rider and motorcycle was being ridden by Rajesh Singh, Sonu Singh (petitioner) alongwith two unknown persons intercepted them and fired from front. It is further alleged that accused Santosh Singh and Puskar Singh fired from behind which hit back of his brother and thereafter accused fled away. He was carried to hospital where he died.

It has been submitted on behalf of the appellant that he is innocent and has been falsely implicated in this case due to admitted previous enmity. It has been further submitted that similarly placed co-accused Santosh Singh and Puskar Singh have already been granted bail by a co-ordinate Bench of this Court vide order dated 27.08.2018 passed in Cr. Appeal (SJ) No. 1735 of 2018 and vide order dated 20.12.2018 passed in Cr. Appeal (SJ) No. 4675 of 2018. Appellant has no criminal antecedent and is in custody since 16.09.2018.

Considering the aforesaid facts and circumstances of the case, let the appellant named above be released on bail upon furnishing bail bond of Rs. 20,000/-(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, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the appellant tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the appellant.

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

(S. Kumar, J)

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