

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4488 of 2019**

Arising Out of PS. Case No.-139 Year-2019 Thana- SASARAM MUFFSIL District- Rohtas

AMIT SINGH Son of Doman Singh Resident of Village- Bishrampur, P.S.-
Sasaram, District- Rohtas.

... .. Appellant.

Versus

The State of Bihar

... .. Respondent.

Appearance :

For the Appellant	:	Mr. Sada Nand Roy, Advocate.
For the State	:	Mr. Sadanand Paswan, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL JUDGMENT

Date : 16-01-2020

Heard learned counsel for the appellant and the
learned Additional Public Prosecutor for the State.

This appeal under Section 14 A (2) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act,
2015, is directed against the impugned order dated 30.08.2019
passed by the 1st Additional Sessions Judge, Rohtas at Sasaram,
whereby and whereunder the prayer of the appellant to grant
him bail in connection with Sasaram Mufassil P.S. Case No.139
of 2019 registered under Sections 302 and 201/34 of the Indian
Penal Code, Sections 3(2)(v) of the SC/ST (POA) Act, 1989 and
Section 27 of the Arms Act has been rejected.

The prosecution case, in brief, is that on 28.04.2019,
Parshuram Singh called Jitendra Nut, the maternal brother of the



informant Amresh Nut, near Bishrampur bridge and talked with him. Thereafter, the villagers of the informant, Bhodu Yadav alias Rakesh Yadav, Gorakh Sah, Ritesh Singh, Amit Singh (appellant), Munmun Singh and Dharmendra Singh came there and all caught hold of Jitendra Nut, the maternal brother of the informant, then Bhodu Yadav alias Rakesh Yadav shot fire at him, snatched his chain and fled away with motorcycle from there throwing his dead body on the road. The cause of occurrence is that the dance party was stopped by them, due to that reason, there was tension in between the parties.

Learned counsel for the appellant submits that it would appear from the F.I.R. that no specific overt act is attributed to the appellant. The specific allegation is against the co-accused Bhodu Yadav alias Rakesh Yadav, who shot fire at Jitendra Nut, the maternal brother of the informant. The appellant has no criminal antecedent and is in custody since 19.08.2019.

Having considered the facts and the circumstances of the case, the impugned order dated 30.08.2019 is set aside and this appeal is allowed. The appellant, above named, is directed to 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 1st Additional Sessions Judge,
Rohtas at Sasaram, in connection with Sasaram Mufassil P.S.
Case No.139 of 2019.

(Rajendra Kumar Mishra, J)

Pradeep Srivastava/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.01.2020.
Transmission Date	17.01.2020.

