

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5631 of 2019

Arising Out of PS. Case No.-272 Year-2019 Thana- KALYANPUR District- Samastipur

Munna Singh @ Munna Kumar Singh, Son of Rajeshwar Singh Resident of
Village- Ladaura, P.S.- Kalyanpur, District- Samastipur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ranjan Kumar
For the Respondent/s : Mr.Binay Krishna

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

ORAL ORDER

2 07-01-2020 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, is directed against the order dated 20.11.2019
passed in A.B.P. No. 2663 of 2019, whereby and whereunder the
learned Ist Additional Sessions Judge, Samastipur, rejected the
prayer for pre-arrest bail of the appellant in connection with
Kalyanpur P.S. Case No. 272 of 2019, registered under Sections
341, 323, 379, 385, 386, 504 and 506/34 of the Indian Penal
Code and Sections 3(1)(r), 3(1)(s) of the Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act.

The persecution case, in brief, is that informant,



Ranjeet Kumar, being driver of Pick-Up van bearing registration no. BR33GA-7007 went to Kanojer Gangea at poultry farm along with Khalashi, Mithelesh Paswan, and after unloading hens they returned but in the way, 4 to 5 persons were present inside the road gave signal to stop the vehicle. Thereafter, informant stopped the vehicle then they demanded ransom from the informant. When he made protest then all started to cause assault to him and his Khalashi through fist and slaps and also took cash of Rs.2,000/- from his pocket. Thereafter, the local persons, who were passing the road at that time, disclosed the name of Nitin Kumar, Raja and Munna Singh (appellant). Thereafter, informant and his Khalashi moved there and gave information to the owner of the vehicle and thereafter, the present case has been lodged.

Learned counsel for the appellant submits that it would appear from the FIR that appellant and others named in the FIR was not identified by the informant and his Khalashi rather their names have been disclosed by the local people due to dirty village politics. Further submission is that appellant has no criminal antecedent.

Having considered the facts and circumstances of the case, the impugned order is set aside and this appeal is allowed.



Let the appellant, above named, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I, Samastipur, in connection with Kalyanpur P.S. Case No. 272 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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