

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL APPEAL (SJ) No 1304 of 2021**

Arising Out of PS. Case No.-27 Year-2020 Thana- SC/ST District- Saran

SUNIL SINGH @ SUNIL KUMAR SINGH Son of Gopal Singh Resident of  
Village- Kakrahat, P.S.- Derni, District- Saran at Chapra.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

**Appearance :**

|                     |   |                                           |
|---------------------|---|-------------------------------------------|
| For the Appellant/s | : | M/s Narendra Kr, Rakesh Kr Jha, Advocates |
| For the State       | : | Mr Sadanand Paswan, Special PP            |
| For the Informant   | : | Mr Tej Pratap Singh, Advocate             |

**CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD**

**ORAL JUDGMENT**

**Date : 21-06-2021**

This case has been listed today for consideration through  
Video Conferencing.

**2** Heard learned counsel for the appellant, learned  
counsel for the complainant and the learned Special PP for the  
State.

**3** The appellant has preferred the present Appeal  
under Section 14 - A of Scheduled Castes and Scheduled  
Tribes (Prevention of Atrocities) Act (for brevity, *SC/ST Act*),  
1989 against the refusal of his prayer for regular bail vide  
order dated 27.11.2020 passed by Additional Sessions Judge I  
-cum- Special Judge, SC/ST Act, Saran at Chapra in a case  
registered under Sections 341, 323, 386 of Indian Penal Code  
and Sections 3 (I) (r) (s) of SC/ST Act in connection with  
SC/ST Police Station (for brevity, *PS*) Case No 27 of 2020.



4 Allegation in the complaint petition is that the complainant, who is a Public Distribution System (for brevity, *PDS*) dealer and member of SC, has been accosted and surrounded while he was on his way. The appellant abused him taking his caste name and demanded ransom money on a knife point.

5 Appellant's counsel submits that it is a case of implication based on extraneous considerations. The appellant is in fact a social worker. He has written to the authorities regarding various irregularities in the PDS, copy of such application is Annexure 2 to the Memo of Appeal and is of August, 2018. Based on the said application, enquiry has also been conducted by the authorities and reference to such enquiries has come in the course of investigation. On going through Paragraph 50 of case diary, this Court would find that enquiry was made on the complaint made by the appellant on 03.12.2019.

6 Appellant is stated to be accused in three more cases, as per details in paragraph 3 of the Memo of Appeal. He is on bail in all the three cases. In the instant case, he is in custody since 15.10.2020.

7 Learned Special PP as well as learned counsel for the complainant have opposed the prayer for bail.

8 In my opinion, in view of nature of accusation in the complaint petition, and submission of parties, a case for grant of regular bail is made out. The impugned order dated 27.11.2020 requires interference by this Court, which is, accordingly, set aside.

9 This appeal is allowed. The impugned order dated 27.01.2020 passed by Additional Sessions Judge I -cum-



Special Judge, SC/ST Act, Saran at Chapra in connection with SC/ST PS Case No 27 of 2020 is set aside.

**10** Let the appellant above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge I -cum- Special Judge, SC/ST Act, Saran at Chapra in SC/ST PS Case No 27 of 2020 subject to the following conditions:

(1) That one of the bailors will be a close relative of the appellants who will give an affidavit giving genealogy as to how he is related with the appellant. The bailor will also undertake to inform the Court if there is any change in the address of the appellant.

(2) That the appellant will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

**(Madhuresh Prasad, J)**

**M.E.H./-**

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| AFR/NAFR          | NAFR       |
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