

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL APPEAL (SJ) No.1598 of 2021**

Arising Out of PS. Case No.-183 Year-2020 Thana- NASRIGANJ District- Rohtas

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Ajit Kumar Singh Son of Awadhesh Singh Resident of Village- Lala Atimi,
P.S.- Nasriganj Dist -ROHTAS

... .. Appellant

Versus

The State of Bihar

... .. Respondent

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Appearance :

For the Appellant/s : Mr.Surendra Kumar Mishra, Advocate
For the Respondent/s : Mr.Sadanand Paswan, Spl. P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 08-04-2021 Heard learned counsel for the appellant and Mr.
Sadanand Paswan, Spl. P.P. for the State.

The appellant in the present case is seeking setting aside of the order dated 21.01.2021 passed in registered Case No.284 of 2020 arising out of Nasriganj P.S. Case No. 183 of 2020 registered for the offence punishable under Sections 341/323/354B/504/506/34 of the Indian Penal Code and Sections 3(2)(va) of the SC/ST Act by learned 1st Additional District and Sessions Judge-cum-Special Judge, Rohtas at Sasaram whereby and whereunder the prayer for regular bail of the appellant has been rejected.

Learned counsel for the appellant submits that as per prosecution story, the accused persons named in the F.I.R. came



at the house of the informant and entered in her house by abusing and indulged in assault. It is alleged that Kamlesh Kumar Singh was issuing threat to the informant and asked about her son Brajesh Kumar by abusing her.

Learned counsel submits that the appellant is innocent and has falsely been implicated in this case. It is submitted that there is general and omnibus allegation against all the accused persons except co-accused Kamlesh Kumar Singh. The appellant is in custody since 03.12.2020.

Learned Spl. P.P. for the State has opposed the prayer for bail of the appellant.

Having regard to the facts and circumstances of the case, wherein this Court has noticed the submission of learned counsel for the appellant that though the appellant is one among nine named accused persons who had allegedly gone to the house of the informant but so far as the specific allegation of abuse and threat given to the informant is concerned, the said specific allegation has been attributed to the co-accused Kamlesh Kumar Singh, this Court sets- aside the impugned order.

Let the appellant above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five



Thousand only) with two sureties of the like amount each to the satisfaction of learned 1st Additional District and Sessions Judge-cum-Special Judge, Rohtas at Sasaram in connection with registered Case No.284 of 2020 arising out of Nasriganj P.S. Case No. 183 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the appellant and in case at any stage it is found that the appellant has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the appellant. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be



delayed for purpose of or in the name of verification.

This appeal stands disposed of.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

