

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No 1714 of 2021

Arising Out of PS. Case No.-466 Year-2019 Thana- HAJIPUR District- Vaishali

PRINCE KUMAR S/O VISHWA NATH SINGH R/O VILLAGE-PANAPUR,
DILAWARPUR, P.S.-BIDUPUR, DISTRICT-VAISHALI.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

For the Appellant/s : M/s Siddharth Harsh, Shivanand Singh, Advocates
For the Respondent/s : Mr Binay Krishna, Special PP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD
ORAL JUDGMENT

Date : 28-06-2021

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

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

3 The appellant has preferred the present Appeal under
Section 14 - A (2) of Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act (for brevity, SC/ST Act) against the
refusal of his prayer for regular bail vide order dated 19.01.2021
passed by Additional Sessions Judge I -cum- Special Judge,
Hajipur, Vaishali in a case registered under Sections 341, 186, 307,
324, 326, 332, 333, 353, 120 (a)/34 of Indian Penal Code, Sections
3 (i) (r) (s)/3 (ii) (n) of SC/ST Act and Section 27 of Arms Act in
connection with Hajipur Town Police Station (for brevity, PS)
Case No 466 of 2019.



4 In course of production of an under trial prisoner, the miscreants have resorted to firing. The under trial prisoner and two police personnel have sustained injuries in the process.

5 It is submitted by the appellant's counsel that even, as per First Information Report, allegation is against unknown persons. The appellant's name has transpired in confessional statement of co-accused Kunal Kumar Singh. The said co-accused has since been enlarged on bail by this Court in Cr Appeal (SJ) No 4708 of 2019. The alleged kingpin of the entire occurrence, namely, Vicky Kumar @ Vicky Singh has also been granted bail by this Court in Cr Appeal (SJ) No 259 of 2020. The appellant is in custody since 19.09.2020. It is further submitted that he is also accused in Bidupur PS Case No 181 of 2020 and Bidupur PS Case No 172 of 2020.

6 Learned Special PP has opposed the prayer for bail. It is submitted that on account of firing, police personnel have also sustained injuries.

7 In my opinion, in view of nature of accusation in the First Information Report, and submission of parties, a case for grant of regular bail is made out. The impugned order dated 19.01.2021 requires interference by this Court, which is, accordingly, set aside.



8 This appeal is allowed. The impugned order dated 19.01.2021 passed by Additional Sessions Judge I -cum- Special Judge, Hajipur, Vaishali in connection with Hajipur Town PS Case No 466 of 2019 is set aside.

9 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, Hajipur, Vaishali in Hajipur Town PS Case No 466 of 2019 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./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	29.06.2021
Transmission Date	29.06.2021

