

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2525 of 2021**

Arising Out of PS. Case No.-282 Year-2020 Thana- SHAMBHUGANJ District- Banka

GORE SINGH, Son of Late Yugal Singh, Resident of Village- Purani Rata,
P.S.- Belhar O.P. Khesar, District- Banka.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rajiv Kumar Singh
For the Respondent/s : Ms. Usha Kumari No. 1

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 30-06-2021 Heard learned Counsel for the appellant and learned
Special Public Prosecutor for the State, through Video
Conferencing.

An order, dated 24.12.2020, passed by learned 1st
Additional Sessions Judge -cum- Special Judge, Banka, in the
bail petition, filed by the appellant on 13.11.2020, is under
challenge in the present appeal preferred under Section 14-A(2)
of the Scheduled Caste and Scheduled Tribes (Prevention of
Atrocities) Act, 1989, whereby the regular bail application of
the appellant in connection with Shambhuganj Police Station
Case No. 282 of 2020, registered for the offences punishable
under Sections 302/201/120-B/34 of the Indian Penal Code and
Section 3 (2) (v) of the Scheduled Caste and Scheduled Tribes
(Prevention of Atrocities) Act, 1989, has been rejected.



The prosecution case, as per the First Information Report, is that the brother of the informant, who was a driver of the pick-up van, caused injury to a person in a road accident and the local villagers caught the driver as well as cleaner of the said pick-up van, kept them captive, demanded a sum of Rs. 55,000/- and after sometime, the cleaner of the said pick-up van was released by the villagers/accused persons and in the next morning, the dead body of the driver, i.e. brother of the informant, was found in a pond. The informant has raised suspicion against the appellant and other accused persons.

Learned Counsel appearing on behalf of the appellant submits that the appellant has not committed any offence in the manner alleged and he has falsely been implicated in this case on the basis of suspicion. He next submits that the appellant is in custody since 13.01.2020 and co-accused persons, namely, Amit Bhagat and Anuj Bhagat (by order, dated 12.04.2021, passed in Criminal Appeal (SJ) No. 1202 of 2021) and Fantush Singh and Gourav Singh (by order, dated 18.05.2021, passed in Criminal Appeal (SJ) No. 1645 of 2021) have been granted bail by co-ordinate Benches of this Court.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact



that the appellant is in custody since 13.01.2020 and similarly situated co-accused persons have been granted bail by this Court, I am inclined to grant regular bail to the appellant.

Accordingly, this appeal is allowed and the impugned order mentioned above, is set aside.

Let the appellant, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge -cum- Special Judge, Banka, in connection with Shambhuganj Police Station Case No. 282 of 2020.

This is subject to the condition that the appellant shall present himself before the Court, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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