

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3066 of 2021

Arising Out of PS. Case No.-58 Year-2020 Thana- PAUTHU District- Aurangabad

RANJIT SINGH S/o Late Mungeshwar Singh R/o village- Temura, P.S.-
Pauthu, District- Aurangabad

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-11-2021 Heard learned counsel for the appellant, learned
counsel for the informant and learned Special Public Prosecutor
for the State through virtual Court proceedings.

This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 (hereinafter in short referred to as the
'SC/ST Act') against the refusal of prayer for bail vide order
dated 26.03.2021 passed by learned 1st Additional Sessions
Judge cum Special Judge (SC/ST Act), Aurangabad in
connection with Pauthu P.S. Case No. 58 of 2020 registered
under Sections 302 & 201/34 of the Indian Penal Code and
Section 3(1) (r) (s) & 3 (2) (v) of the Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act.

The nephew of the informant was in love affairs of



one Puja Kumari for two years and both were working in a Herbal Company. It is alleged that the Puja Kumari called his nephew by mobile on 02.10.2020 and under conspiracy with her family members his nephew is said to have been killed and his dead body was found at Temura village.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. Appellant has been falsely implicated in the case merely in suspicion. As a matter of fact, appellant is an old man aged about 70 years and never called the informant's nephew. The allegation levelled against the appellant is not specific rather general and omnibus in nature. The said Puja Kumari has been enlarged on bail by a co-ordinate Bench of this Court vide order dated 30.06.2021 passed in Cr. Appeal (SJ) No.1554 of 2021. Appellant has no criminal antecedent and has been languishing in custody since 12.10.2020.

Learned counsel for the informant and learned Spl. PP for the State vehemently opposed the prayer for bail submitting that the appellant has confessed his guilt in his confessional statement.

In the facts and circumstances of the case, the above named appellant is directed to be released on bail on



furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions Judge cum Special Judge (SC/ST Act), Aurangabad in connection with Pauthu P.S. Case No.58/2020, subject to the following conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The appellant shall not indulge himself in any similar offence till conclusion of the trial.

(3) The appellant shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The appellant shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(5) The appellant will mark his attendance in the local police station in first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move



cancellation of his bail bond.

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

(Anjani Kumar Sharan, J)

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