

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1977 of 2020

Arising Out of PS. Case No.-18 Year-2019 Thana- BHADHWAR District- Gaya

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SAMOD SINGH @ BABNI SINGH Son of Late Satanaraya Singh Resident
of Village - Ganasha, P.S.- Bhadwar, District - Gaya.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Krishna Pd. Singh, Sr. Adv. Mr. Bhaskar Shankar
For the Respondent/s	:	Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 19-01-2021 Heard learned counsel for the parties.

This appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act has been preferred against the order dated 02.07.2020, passed by learned Executive Special Judge, SC/ST, Gaya in B.P. No. 189 of 2020, arising out of Bhadwar P.S. Case No. 18 of 2019, whereby the appellant's prayer for regular bail has been rejected.

The appellant is in custody since 05.06.2020. It is the prosecution's case that when the informant was sleeping in the night on the alleged date of occurrence, he woke up on hearing his wife's screaming for help, who was sleeping in the adjacent room. He found the appellant and his wife scuffling with each



other.

Learned Senior Counsel appearing on behalf of the appellant has submitted that it is because of certain land dispute between the parties that a false case has been instituted. He has further submitted that, in any event, there is no chance of the appellant fleeing from the course of trial if allowed regular bail and that the police on completion of investigation have already submitted charge-sheet.

Considering the nature of accusation and the fact that the appellant is in custody since 05.06.2020, in my opinion, he has been able to make out a case for grant of regular bail. Impugned order dated 02.07.2020 requires interference and is accordingly set aside. This appeal is allowed.

Let the appellant, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned Exclusive Special Judge, SC/ST, Gaya in B.P. No. 189 of 2020, arising out of Bhadwar P.S. Case No. 18 of 2019.

(Chakradhari Sharan Singh, J)

Rajesh/-

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