

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2187 of 2020

Arising Out of PS. Case No.-59 Year-2020 Thana- JANDAHA District- Vaishali

SANTOSH SINGH @ SANTOSH KUMAR Son of Basdeo Singh, Resident
of Village - Narharpur, P.S.- Jandaha, Dist.- Vaishali.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rajeev Ranjan No.Ii
For the Respondent/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 06-01-2021 Heard learned counsel for the appellant and learned
counsel for the State.

This appeal has been preferred under section 14A (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, against the order dated 14.09.2020 passed by 1st Additional Sessions Judge-Special Judge, Vaishali at Hajipur, whereby and whereunder the prayer of the appellant to grant him regular bail in connection with Jandaha P.S. Case No. 59 of 2020 registered for offence punishable under sections 341, 323, 307, 504/34 of the Indian Penal Code and 3 (i) (r) (s) SC/ST (POA) Act, has been rejected.

Against the appellant, allegation has been made to have assaulted and taken the caste name of the victim.

The alleged incident has taken place on 23.04.2020 but



the FIR has been lodged on 13.05.2020 i.e. after delay of about 20 days and no explanation of delay has been offered.

In such view of the matter, the impugned order dated 14.09.2020 is set aside and the appellant is directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of 1st Additional Sessions Judge-Special Judge, Vaishali at Hajipur in connection with Jandaha P.S. Case No. 59 of 2020, subject to the condition that one of the bailors of the appellant shall be a close relative. The appellant will not induce any witness or tamper with the evidence. The appellant shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Shivaji Pandey, J)

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