

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2136 of 2020

Arising Out of PS. Case No.-46 Year-2020 Thana- SC/ST District- Rohtas

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DHARAMRAJ SINGH @ BALA, S/o Lal Bahadur Singh R/o village-
Samahutta, P.S.- Sanjhauli, District- Rohtas

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Anil Kumar Singh

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 05-01-2021 Heard Mr. Anil Kumar Singh, learned counsel

for the appellant and Mr. Vinay Krishna, learned Special

Public Prosecutor for the State.

The appellant has challenged the order dated
29.08.2020, in connection with Reg. No. 214 of 2020,
arising out of Dehri SC / ST P. S. Case No. 46 of 2020,
passed by the learned 1st Additional District and Sessions
Judge, Sasaram, Rohtas, whereby the prayer for grant
of bail has been rejected.

From the perusal of the F.I.R., it appears that
the appellant and two others are said to have assaulted
the informant. When the father of the informant came to



his rescue, he was assaulted by three other named accused persons.

Later, it has been stated that because of the assault perpetrated by Mr. Bimal Kant Singh, another co-accused, the deceased received head injuries, which became fatal.

The learned counsel for the appellant has therefore submitted that the appellant is not the assailant of the deceased.

There appears to be a family dispute regarding apportionment of share in family property.

One of the accused persons of this case who is named in the F.I.R. as having assaulted the deceased has been granted anticipatory bail by a Bench of this Court.

The appellant is in custody since 27.05.2020.

Regard being had to the afore-stated facts and specially the nature of accusation and the period of custody of the appellant, the order dated 29.08.2020, in



connection with Reg. No. 214 of 2020, arising out of
Dehri SC / ST P. S. Case No. 46 of 2020, passed by
the learned 1st Additional District and Sessions Judge,
Sasaram, Rohtas, is set aside.

The appellant, above-named, is directed to be
released on bail on his furnishing bail bonds in the sum
of Rs. 10,000 /- (Ten Thousand) with two sureties of
the like amount each to the satisfaction of the learned
1st Additional District and Sessions Judge, Sasaram,
Rohtas, in connection with Reg. No. 214 of 2020, arising
out of Dehri SC / ST P. S. Case No. 46 of 2020.

The appeal stands disposed off accordingly.

(Ashutosh Kumar, J)

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