

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3630 of 2021**

Arising Out of PS. Case No.-435 Year-2019 Thana- BIKRAMGANJ District- Rohtas

Sinku Singh @ Rahul Singh, S/O Jay Ram Singh, R/O Village-Dhangai
Natwar Road, Sainik Colony, P.S-Bikramganj, District-Rohtas.

... .. Appellant

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Manoj Kumar, Advocate
For the Respondent/s : Ms.Usha Kumari 1, Spl. P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 26-10-2021 Heard learned counsel for the appellant and Ms.Usha
Kumari 1, learned Special P.P. for the State.

The appellant in the present case is seeking setting aside of the order dated 31.07.2021 passed in Registered Case No. 17 of 2021 arising out of Bikramganj P.S. Case No. 435 of 2019 registered for the offence punishable under Sections 341, 323, 307, 302, 379, 387/34 of the Indian Penal Code and Sections 3(1)(r)(s)/392)(va) of the Scheduled Castes and Scheduled Tribes Act by learned 1st Additional District and Sessions Judge Rohtas at Sasaram whereby and whereunder the prayer for regular bail of the appellant has been rejected. He is in custody since 22.10.2020. He has got no criminal antecedent.

As per the prosecution story, on 27.08.2019 at about 7.30 P.M. while the son of the informant was standing near the



Durga Ji Temple, all of a sudden, the appellant herein along with two other persons had arrived there on a motorcycle and assaulted the son of the informant by iron rod on his head and neck as a result whereof he fell down on the ground and became unconscious whereafter they had taken away his gold locket and a sum of Rs. 9,000/- from his pocket and then, the accused persons fled away. It is alleged that the son of the informant had succumbed to his injuries during the course of treatment.

Learned counsel for the appellant submits that the appellant is innocent and has been falsely implicated in this case. It is submitted that there is no eye witness to the alleged occurrence. The appellant is in custody since 22.10.2020 having no criminal antecedent.

Ms.Usha Kumari 1, learned Special P.P. for the State has opposed the prayer for bail of the appellant. It is submitted that considering the injuries mentioned in the post-mortem report the appellant does not deserve privilege of bail.

Having regard to the specific allegation against the appellant that he had firstly assaulted the deceased by an iron rod on his neck and head and thereafter the other accused had also assaulted him, the allegation getting corroborated from the



post-mortem report which shows injury on CA/CS IV
Disconnecting canal stenosis e compression hospital cord and
the nature of injury as spinal injury causing immobility of the
body and spine which was grievous and caused by hard blunt
object, this Court is not inclined to release the appellant on bail.
The prayer to interfere with the impugned order is, thus,
refused.

This appeal stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

