

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.181 of 2021**

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

DEPUTY NARAYAN SINGH @ DEPUTY NARAYAN S/o Late Ram Sewak
Singh R/o village- Mahroth, P.S.- Natwar, District- Rohtas

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Anil Kumar Singh, Adv.
For the Respondent/s : Mr.Binay Krishna, Spl. P.P.

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

3 22-02-2021 Learned counsel for the appellant undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the appellant and learned
Spl. P.P. for the State.

Appellant, in the present appeal, is seeking setting aside the order dated 09.10.2020 passed by learned 1st Additional District and Sessions Judge, Sasaram, Rohtas in Reg.No.214 of 2020 arising out of Dehri SC/ST P.S. Case No.46 of 2020 instituted for the offence under Sections 341, 323, 504, 307, 504 and 506/34 of the Indian Penal Code and Section 3(i) (r)(s) of the SC/ST Act and later on Section 302 of the Indian Penal Code was also added whereby and whereunder the prayer for regular bail of the petitioner has been rejected.



Learned counsel for the appellant submits that the appellant is innocent and has been falsely implicated in this case due to local politics. Learned counsel submits that there are general and omnibus kind of allegations of causing assault but on the body of the father of the informant only one injury has been found which has been specifically attributed to the co-accused Bimal Kant Singh.

Learned counsel submits that two similarly situated co-accused namely Amit Kumar Patel and Dharamraj Singh @ Bala have been granted privilege of anticipatory bail and regular bail by learned coordinate Benches of this Court in Cr.Appeal (SJ) No.1972 of 2020 and Criminal Appeal (SJ) No.2136 of 2020 respectively and the appellant has otherwise no criminal antecedent.

Mr. Binay Krishna, learned Spl.P.P. for the State is present and has opposed the prayer for bail of the appellant.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the appellant that so far as the allegations against the present appellant are concerned, there are general and omnibus kind of allegations of causing assault but on the body of the father of the informant only one injury has been found which has been



specifically attributed to the co-accused Bimal Kant Singh, submission that the manner of occurrence as suggested in the F.I.R. is doubtful and there are chances of over-implication of the accused, the two accused similarly situated namely Amit Kumar Patel and Dharamraj Singh @ Bala have been granted privilege of anticipatory bail and regular bail by learned coordinate Benches of this Court in Cr.Appeal (SJ) No.1972 of 2020 and Criminal Appeal (SJ) No.2136 of 2020 respectively, the appellant has otherwise no criminal antecedent, the impugned order is hereby set aside.

Let the appellant above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of 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, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of



the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the appellant and in case at any stage it is found that the appellant has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the appellant. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This appeal stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

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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'.

