

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.609 of 2021**

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

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KALIKANT SINGH, Son of LAL BAHADUR SINGH, Resident of Village-
Samahutta, Police Station- 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.Binay Krishna

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 24-02-2021 Heard learned counsel for the appellant and learned
Special P.P. for the State.

The instant appeal has been preferred by the appellant against the order dated 09.10.2020 by the learned 1st Additional District and Sessions Judge, Sasaram, Rohtas whereby the prayer for bail of the appellant, in connection with Reg. No. 214/2020 arising out of Dehri SC/ST P.S. Case No. 46/2020 instituted for the offence under Sections 341, 323, 504, 307, 504, 506/34 of the Indian Penal Code later on Section 302 of the Indian Penal Code has been added in this case on 20.08.2020 and Section 3 (i)(r) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act was rejected.

From perusal of the FIR, 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.

Learned counsel for the appellant submits that the appellant is innocent and has been committed no offence in this case. 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 FIR as having assaulted the deceased has been granted anticipatory bail of this court. The appellant is in custody since 23.08.2020 and has got no criminal antecedent. The co-accused has been granted bail by this court vide order dated 05.01.2021 passed in Cr. Appeal (SJ) No.2136/2020.

Learned Special P.P. for the State opposed the prayer for bail.

Considering the aforesaid facts, let the appellant, above named is directed to be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) 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. 214/2020 arising out of Dehri SC/ST
P.S. Case No. 46/2020.

Accordingly, the impugned order is set aside and
this appeal is allowed.

(Anjani Kumar Sharan, J)

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