

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3894 of 2021

Arising Out of PS. Case No.-30 Year-2021 Thana- BAHADURPUR District- Darbhanga

1. CHUNNU SINGH @ CHUNNU KUMAR SINGH S/O Anil Singh @ Anil Kumar Singh Resident of Vill/Mohalla - Ojhaul, P.S. - Bahadurpur, Dist.- Darbhanga.
2. KUNDAN SINGH @ KUNDAN KUMAR SINGH S/o Anil Kumar Singh @ Anil Singh Resident of Vill/Mohalla - Ojhaul, P.S. - Bahadurpur, Dist.- Darbhanga.
3. ANIL SINGH @ ANIL KUMAR SINGH S/O Late Satrugan Singh @ Shatrudhan Prasad Singh Resident of Vill/Mohalla - Ojhaul, P.S. - Bahadurpur, Dist.- Darbhanga.
4. SUMIT SINGH @ SUMIT KUMAR SINGH @ CHOTU SINGH S/O Hira Prasad Singh @ Hira Singh Resident of Vill. - Singhiya, P.S. - Sindhiya, Distt. - Samastipur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Rajendra Narain, Sr.Adv. Mr.Kedar Jha, Adv.
For the Respondent/s	:	Mr.Sadanand Paswan, Spl.P.P.
For the Informant	:	Mr.Maya Shankar Mishra, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-12-2021 Heard learned counsel for the appellants, learned counsel for the informant and learned Special Public Prosecutor for the State through virtual mode.

Learned counsel for the appellants is directed to remove the defects, as pointed out by the office, within four weeks. In the eventuality of non-removal of defects within the stipulated period, office will place the matter before the Bench.

This is an appeal under section 14(A)(2) of the Scheduled



Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer for bail vide order dated 31.08.2021, passed by learned 1st Additional Sessions Judge -cum- Special Judge, Darbhanga, in connection with Bahadurpur P.S. Case No.30 of 2021 (S.C.S.T. G.R. No.20 of 2021), registered under sections 341/323/324/506/148/149 of the IPC, section 27 of the Arms Act and section 3(i)(r)/3(i)(s) of the SC and ST (Prevention of Atrocities) Act.

The prosecution case in brief, is that the friend of informant was going to meet the informant but was intervened by the accused persons, who demanded extortion money on the point of pistol. It is alleged that they abused the informant by calling his caste name and on the order of Anil Singh, all the accused persons including the appellants armed variously entered into the informant's house, abused and assaulted him.

It is submitted by learned counsel for the appellants that the appellants are innocent and have been falsely implicated in this case due to oblique motive. The allegation levelled upon the appellants is general and omnibus in nature. It is further submitted that the parties have compromised the case. The appellants have criminal antecedent, as mentioned in para-3 of



the memo of appeal. Appellants have been remanded in this case as mentioned in para-20 of the appeal.

Learned Spl. PP for the State as well as learned counsel for the informant opposed the prayer for bail.

In the facts and circumstance of the case, the above named appellants are directed to be released on bail on furnishing bail bonds of Rs.25,000/- (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge -cum- Special Judge, Darbhanga, in connection with Bahadurpur P.S. Case No.30 of 2021 (S.C.S.T. G.R. No.20 of 2021).

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

(Anjani Kumar Sharan, J)

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