

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.59 of 2021

Arising Out of PS. Case No.-6 Year-2020 Thana- ATRI District- Gaya

P SINGH S/o Dev Singh Resident of Village- Tetaur, P.S.- Atri, Distt- Gaya.

... .. Appellant

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr. Ajay Kumar Sinha, Adv.
For the Respondent/s : Mr. Kalyan Shankar, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 28-10-2021 Heard learned counsel for the appellant as well as
learned Addl. P.P. for the State.

Learned counsel for the appellant is directed to
remove all the defects pointed out by the Stamp Reporter within
one month.

This is an appeal under section 14 (A) (2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989, against the refusal of prayer for bail vide
order dated 27.2.2020 passed by learned Exclusive Special
Judge, SC/ST, Gaya in connection with A.B.P. No. 50 of 2020
arising out of Atri P.S. Case No. 6 of 2020 registered for offence
punishable under sections 147, 148, 341, 323, 354, 435, 427,
384 of the Indian Penal Code read with Section 3(1)(r)(s)(v),
3(2)(va) of SC/ST Act, whereby and whereunder the prayer for



anticipatory bail on behalf of the appellant has been rejected.

As per FIR, altogether seven accused persons entered in the house of the informant Biru Manjhi and assaulted him and abused him when the wife of the informant Lacho Devi came to rescue him, they also assaulted her and set fire to his khalihan.

Learned counsel for the appellant has submitted that the entire allegation is false and frivolous. The real fact is that there is a counter case from the side of the appellant on the family members of the informant. He has further submitted that other accused persons have been granted anticipatory bail by a learned coordinate Bench of this Court vide order dated 7.10.2020 in Cr. Appeal (SJ) No. 1563 of 2020. This Court does not see any reason as to why the same privilege should not be extended to the present appellant.

As such, considering the facts and circumstances of the case, the impugned order dated 27.2.2020 is set aside and the appellant, in the event of his arrest or surrender within four weeks from today is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST, Gaya in connection with Atri P.S. Case No. 6 of 2020.



Accordingly, this appeal is allowed.

Office shall ensure that all defects are removed by the
appellant within the stipulated time provided in para-2
hereinabove, failing which the matter shall be brought to the
notice of this Court.

(Nawneet Kumar Pandey , J)

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