

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3150 of 2021**

Arising Out of PS. Case No.-466 Year-2019 Thana- NAGAR District- Vaishali

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Raju Singh @ Pulu Singh, S/o Amrendra Kumar Singh, R/o Sekhopur, P.S. -
Baris Nagar, District- Samastipur.

... .. Appellant/s

Versus

1. The State of Bihar
2. Vijay Kumar, Son of Late Palo Singh, Resident of- Khurhadih, P.S.- Barhaia,
District- Lakhisarai

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Binoy Kumar Sinha, Advocate
For the Respondent/s : Mr. Vinay Krishna, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

6 20-10-2022 Learned counsel for the appellant is permitted to

remove the defect(s), as pointed out by the office, within a

period of four weeks from today.

Heard Mr. Binoy Kumar Sinha, learned counsel
appearing on behalf of the appellant and learned Spl. PP for the
State.

The present appeal under Section 14-A (2) of the
Scheduled Castes/Scheduled Tribes, Prevention of Atrocities
Act, (hereinafter referred to as 'SC/ST Act') has been preferred
against the order dated 08.06.2021 passed by learned
Additional Sessions Judge-I-cum- Special Judge, Hajipur,
Vaishali in connection with Hajipur Town P.S. case no. 466 of



2019 registered for the offences punishable under Sections 341, 342, 307/34, later on converted as Sections 186, 341, 326, 307 of the Indian Penal Code, Sections 3(i)(r)(s) 3(ii)(n) of the SC/ST Act and 27 of the Arms Act, whereby the prayer for grant of regular bail of the appellant has been rejected.

At the outset, learned counsel for the appellant submits that earlier vide order dated 18.11.2021, after taking into consideration that the appellant is not named in the F.I.R. and his name transpired on the confessional statement of co-accused Kunal Kumar Singh and said Kunal Kumar Singh has already been granted bail, was granted provisional bail. He next submits that while allowing the provisional bail, notice was also issued to respondent no.2 both by ordinary process as well as registered post with A/D, though the informant is a police official and, as such, the same was not required.

On the other hand, learned Spl. P.P. for the State while opposing the present appeal for bail has submitted that since the informant is a police official and, as such, the submission made by the learned counsel for the appellant appears to be correct.

Regard being had to the submissions made on behalf of the parties and considering the fact that other accused persons, having identical allegations, have already been allowed



the privilege of bail by the different learned coordinate Benches of this Court, the copies of which have been brought on record by way of Annexure-2 Series to the memo of appeal, the provisional bail granted to the appellant is hereby confirmed and this order be treated as part of the order dated 18.11.2021.

Accordingly, the impugned order dated 08.06.2021 is hereby set aside and the present appeal stands allowed.

(Harish Kumar, J)

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