

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3202 of 2022

Arising Out of PS. Case No.-256 Year-2022 Thana- MADANPUR District- Aurangabad

PANCHAM SINGH S/o Late Jagranath Singh R/o village- Tetariya, P.S.-
Salaiya, District- Aurangabad (Bihar) Appellant/s

Versus

The State of Bihar Respondent/s

Appearance :

For the Appellant/s : Mr.Binod Kumar Pandey, Advocate

For the Respondent/s : Mr.Sadanand Paswan, App

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

6 23-03-2023 Heard the parties.

The instant criminal appeal has been filed under Section 14(A)(2) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, against the order dated 20.08.2022 passed by the learned 1st Addl. Distt. & Sessions Judge, Aurangabad in connection with Madanpur P.S. Case No. 256 of 2022 registered for the offences punishable under Sections 272, 273, 304, 120B of the Indian Penal Code and Sections 3(1)(a),3(2) (v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act by which the appellant's prayer for bail was rejected.

The main submissions advanced by learned counsel for the appellant are that the appellant has been falsely roped in this case due to instigation of his enemies and no offence is made out under the provisions of the SC/ST Act against the appellant. Further submission is that similarly situated co-



accused persons, namely, Rajesh Yadav, Sonu Kumar and Suraj Kumar and Divesh Chaudhary, having criminal antecedents, have been granted bail by different Benches of this Court vide orders passed in Cr. App (SJ) No. 4224 of 2022, Cr. App (SJ) No.3241 of 2022 and Cr. App (SJ) No.3224 of 2022 respectively and appellant has been languishing in jail since 02.07.2022.

Learned APP appearing for the State has opposed the bail prayer of the appellant.

Considering the above facts and mainly petitioner's custody period and the fact that similarly situated co-accused persons have been granted bail by different benches of this court as mentioned-above, in my opinion, appellant deserves to the privilege of bail. Hence, order impugned is hereby set aside and the appeal stands allowed and the appellant is directed to be released on bail on furnishing of bail bond of Rs.10,000/- with two sureties of like amount each to the satisfaction of the Court concerned, in connection with Madanpur P.S. Case No. 256 of 2022.

(Shailendra Singh, J)

Sanjay/-

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