

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1071 of 2024

Arising Out of PS. Case No.-228 Year-2022 Thana- RUPASPUR District- Patna

Laddu Singh @ Pintu Singh S/o Late Shiv Dutt Singh @ Dhusar Singh
Resident of Village-Soniyawa, P.S.-Dulhin Bazar, District-Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sanjay Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

6 20-12-2024 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. This appeal under Section 14(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, (hereinafter referred to “SC/ST Act”) has been preferred against the order dated 16.12.2023 passed by the Learned Exclusive Special Court (SC/ST Act) Patna in Special Case No. 70 of 2022 by which prayer of the appellant for grant of regular bail has been rejected in Rupaspur P.S. Case no. 228 of 2022 dated 28.04.2022 instituted under section 302/34 of the Indian Penal Code and Section 3(2)(v) of SC/ST Act.

3. Allegation against the the petitioner and one co-accused is that they after hatching conspiracy, killed the son of



the informant by pressing his neck.

4. Learned counsel for the appellant submits that the appellant is innocent and he has been falsely implicated in this case. It is further submitted that there is no eye-witness to the occurrence and F.I.R. has been lodged only on the basis of suspicion. The deceased was the son of the informant and the husband of co-accused Belmanti Devi. It is submitted that F.I.R. has been lodged under Section 302 and its allied section of Indian Penal Code and section 3(2)(v) of SC/ST Act. After investigation, the police submitted charge sheet in this case under Section 306/34 of the Indian Penal Code and Section 3(2)(v) of SC/ST Act against the petitioner and Belmanti Devi. The lower court took cognizance under the same sections. Learned counsel for the appellant submits that the present case arises out of suicide committed by the deceased and there is no allegation against the appellant to instigate the deceased to commit suicide. There is no external injury on the body of the deceased. As per the post-mortem report, the cause of death of the deceased is asphyxia due to hanging leading to cardio pulmonary failure. Learned counsel for the appellant submits that co-accused Belmanti Devi has been granted bail *vide* order dated 16.12.2022 passed by this Court in Criminal Miscellaneous No.



50978 of 2022. Lastly, it has been submitted that the appellant is in custody since 15.09.2023 and the appellant has no criminal antecedents.

5. Learned Special Public Prosecutor has opposed the prayer for bail of the appellant.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the appellant be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Court (SC/ST Act) Patna in connection with Rupaspur P.S. Cas No. 228 of 2022.

7. Accordingly, the order dated 16.12.2023 passed by the Learned Exclusive Special Court (SC/ST Act) Patna in Special Case No. 70 of 2022 in connection with Rupaspur P.S. Case No. 228 of 2022 is hereby set aside.

8. The appeal stands allowed.

(Khatim Reza, J)

premchand/-

U		T	
---	--	---	--

