

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3661 of 2024

Arising Out of PS. Case No.-88 Year-2022 Thana- CHARPOKHARI District- Bhojpur

Adityaraj Singh @ Mithun Son of Jay Prakash Singh Resident of Village -
Thakuri, Post - Thakuri, P.S. - Charpokhari, District - Bhojpur (Bihar)

... .. Appellant/s

Versus

1. The State of Bihar
2. Saroj Kumar Son of Baijnath Prasad Resident of Village - Kashmariya P.S. -
Charpokhari, District - Bhojpur (Bihar)

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Praveen Kumar, Advocate
For the Respondent/s	:	Mrs. Usha Kumari 1, SPP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 13-11-2024 Heard Learned Counsel for the appellant, Learned

Counsel for the informant-respondent No.2 and Learned Special

Public Prosecutor for the State.

2. 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 by the

learned 1st Additional Sessions Judge-cum-Special Judge

(S.C./S.T. Act), Bhojpur at Ara, in connection with Charpokhari

Police Station Case No.88 of 2022, registered under Sections

147/148/149/302/307/504 of the Indian Penal Code, under

Section 27 of the Arms Act and under Sections 3(i)(r)(s)(va) of

the Scheduled Castes and Scheduled Tribes (Prevention of



Atrocities) Act, 1989.

3. Learned Counsel for the appellant submits that bail application of the appellant was earlier rejected by this Court vide order dated 08.05.2024 passed in Cr. Appeal (SJ) No.5191 of 2023 with liberty granted to the appellant that he may renew his prayer for bail after framing of the charge.

4. Learned Counsel for the appellant submits that the charge has already been framed on 12.07.2024 and copy of the charge is Annexure-P/9. He submits that after framing of the charge he has moved before this Court in the light of the observation made by this Hon'ble Court.

5. Learned Counsel for respondent No.2, who appears in this case *suo motu* by way of filing Vakalatnama, vehemently opposes the prayer for bail and submits that on the one hand the appellant has moved before this Court with pleading that charge has been framed but on the other he has filed petition before the Trial Court with a view to stop the proceeding and in this background the Counsel for respondent No.2 submits that a report may be called for from the Court-below.

6. Learned Special Public Prosecutor for the State appearing in this case submits that in the light of the observation



made in the earlier order charge has been framed.

7. Considering the aforesaid facts, let the appellant, above named, be released on bail on furnishing bail bond of Rs.30,000/- (Thirty Thousand) with two sureties of the like amount each to the satisfaction of 1st Additional Sessions Judge-Cum-Special Judge (SC/ST Act), Bhojpur at Ara in connection with Charpokhari P.S. Case No.88 of 2022, with condition that the appellant shall fully cooperate with the investigation/trial of the case, failing which the Court-below shall be at liberty to cancel the bail bond of the appellant.

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

(Dr. Anshuman, J)

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