

IN THE COURT OF ADDL. DISTRICT & SESS. JUDGE-I cum SPECIAL JUDGE,
KAIMUR AT BHABHUA
I.A. NO. 01/2022 in SC/ST REG. NO. 97/2019
BHABHUA P.S. CASE NO. 423/ 2019
STATE Vs. Bisheshar Singh & Ors.

17.10.22 Heard Sri Rameshwar Pathak, learned counsel on behalf of the petitioner and Sri Sanjay Singh, learned Spl.P.P. for the State. The Ld. Spl.P.P. certifies that a prior notice of the present bail petition has already been served to the victim.

ORDER

A surrender cum bail petition has been filed on behalf of the accused-petitioner namely, **1. Sonu Singh** in connection with Bhabhua P.S. Case No. 423 of 2019 registered for the offence u/s 341, 323, 342, 504, 506, 307/34 of IPC & Section 3(1)(r)(s) of SC/ST Act. It is submitted that no regular or anticipatory bail petition on behalf of the petitioner is filed/pending either in this court or any superior court and there is no criminal antecedent against the petitioner. Both the assertions have been affirmed by the Ld. Spl.P.P.

The accused-petitioner namely, **1. Sonu Singh** is produced before the court. It is submitted on his behalf that he has not committed any offence and is quite innocent & has falsely been implicated in the case. During investigation, the petitioner was granted benefit of Section 41(A) Cr.P.C. and the petitioner never violated the conditions of bond. After investigation, police submitted the charge-sheet under Section 341, 323, 342, 504, 506/34 of IPC & Section 3(1)(r)(s)/3(2)(va) of SC/ST Act. That no case under SC/ST Act is made out against the petitioner and rest of the offence alleged are bailable in nature. Moreover, there is no direct and specific allegation against the petitioner. Hence, the petitioner deserves to be granted bail.

The learned Spl. PP opposed the bail petition on the ground of nature and gravity of the offence alleged.

Heard the counsels and perused the record. A bare perusal of the case diary transpires that there is no direct and specific allegation against the petitioner. Petitioner has surrendered before the court *suo moto*.

Contd..
17.10.22

Considering all facts and circumstances of the case and considering the entire material available on the record, the bail of the petitioner is hereby **allowed**. The petitioner is directed to be released on bail on his furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of this court with condition to the petitioner is directed to file an undertaking to remain physically present on next date for hearing on charge.

(Dictated)

Sd/-

A.D.J.-1st cum Spl. Judge
Kaimur at Bhabhua

