

**IN THE COURT OF ADDL. DISTRICT & SESS. JUDGE-I cum SPECIAL JUDGE,
KAIMUR AT BHABHUA**

I.A. No. 01 of 2021 in (SC/ST- 151 / 2020)

BHABHUA SC/ST P. S. CASE NO. 63/ 2020

STATE Vs. Parma Singh & others

31/08/21 Heard Munna Singh, learned counsel on behalf of the petitioners and Sri Sanjay Singh, learned Spl. P. P. for the State. Ld. S.P.P. certifies that due notice of the present bail petition has been served on the victim.

ORDER

The present bail petition is filed through email on behalf of the accused namely, 1. Parma Singh and 2. Bir Bahadur Singh who are lying in custody since 26.08.2021 in connection with Bhabhua SC/ST P.S Case No. 63 of 2020 filed U/s 341, 323, 379, 504, 506, 34 of IPC & Sections 3(1)(r)(s) / 3 (2)(va) of SC/ST Act. It is submitted that no other regular or anticipatory bail petition on behalf of the petitioners is pending either in this court or any superior court. That the petitioners have no criminal antecedents. Both the assertions have not been objected to by the Spl. P.P

The prosecution story, in brief, is that on the alleged date and time when the informant went for ploughing the fields of one Bablu tiwari with the help of a tractor, the petitioners were already present there carrying lathis in their hands. Both the petitioners first abused the informant by calling caste names. The petitioner Parma Singh is alleged to have then attacked the informant with lathi. As a result of the attack, the informant suffered head injury & fell down unconscious. The petitioners their took away rupees 500/- from the pocket of the informant. When the people nearby came, they left the spot threatening the informant to kill him.

The counsel for the petitioners argued for the grant of bail on the ground that the allegations levelled against them are false and fabricated and they have not committed any offence. That no case under SC/ST Act is made out against the petitioners and all other sections alleged areailable in nature except Section 379 of IPC which has been superfluously added to make allegations more grave. That the petitioners are already complying with the conditions laid down in Section 41(A) of Cr.P.C. & undertake to cooperate in the trial.

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. Keeping in mind the submissions advanced by the counsels and other facts and circumstances of the case, I find it proper to enlarge the petitioners on bail. The petitioners are directed to be released on their furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of this court. The office is directed to accept the bail bond complying with the social distancing norms issued by the Government and Hon'ble High Court. (Dictated)

Sd/-

A.D.J.-1st cum Spl. Judge.

Kaimur at Bhabhua

