

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.826 of 2016

Arising Out of PS.Case No. -63 Year- 2016 Thana -SABOUR District- BHAGALPUR

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Md. Ranu @ Md. Rano, son of Mansoor Mistry, resident of village Bhitthi,
Police Station Sabour, District Bhagalpur

.... Appellant

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. (Dr.) Shashi Shekhar Kishore

For the Respondent/s : Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

5 19-11-2016 Heard learned Counsel for the appellant and
learned Additional Public Prosecutor appearing on behalf of
the State.

This appeal has been filed, under Section 14-A(2) of the Schedule Castes and Schedule Tribes (Prevention of Atrocities) Amendment Act, 2015, challenging the order, dated 07.06.2016, passed by the learned 2nd Additional Sessions Judge, Bhagalpur, whereby the appellant's prayer for bail, in connection with Sabour Police Station Case No. 63 of 2016, has been rejected. The appellant is an accused of offences punishable under Sections 302/120B/34 of the Indian Penal Code, Section 27 of the Arms Act, 1959, and Sections 3 (ii) (v) of the Schedule Castes and Schedule Tribes (Prevention of

Atrocities) Act.

After having examined the case diary, with particular reference to paragraph 61, it seems that there are materials to show that the appellant played significant role, leading to the occurrence, in question.

It has been pointed out that co-accused Sonu Kumar, on the basis of whose confessional statement, the appellant has been made accused, had also filed an appeal against the order passed by the learned Court below rejecting his bail application, vide Criminal Appeal (SJ) No. 887 of 2016, which has been dismissed by an order, dated 18.11.2016.

Learned Counsel appearing on behalf of the petitioner has relied on an order of this Court, dated 20.08.2016, whereby another co-accused, Mukesh Ram, has been granted regular bail.

It does not appear from the said order that the case diary was made available to the Court before passing of the order, dated 20.08.2016, which certainly contains incriminating materials against the appellant.

Considering the gravity of the offence, I do not find any illegality in the order, dated 07.06.2016, passed by the learned 2nd Additional Sessions Judge, Bhagalpur, whereby the appellant's application for regular bail has

been rejected. The appeal has no merit and is accordingly dismissed.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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