

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1939 of 2018

Arising Out of PS.Case No. -65 Year- 2016 Thana -BALIA District- BEGUSARAI

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1. Sanjay Chaudhary @ Sanjay Mahanth S/o Late Ramapati Choudhary, R/o Mohalla- Kachahari Tola Behadur Nagar, P.S.- Munger (Muffasil), District- Munger. Appellant/s

Versus

1. The State of Bihar Respondent/s

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Appearance :

For the Appellant/s : Mr. Binod Kumar, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 20-07-2018

Heard learned counsel for the parties.

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 order dated 25.05.2018 passed by the learned Special Judge (S.C./S.T. Act), Begusarai, in connection with Ballia Police Station Case No.65 of 2016 registered under Sections 147,148,149,341,342,302 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Though the appellant is named in the FIR, the informant, who is eye witness of the occurrence is specific that co-accused Surendra, Himmat Chaudhary, Jitendra Chaudhary and Chhote Chaudhary had fired, causing death of two persons.

Since no overt act is alleged against the



appellant, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with the aforesaid case, with condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further 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.

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

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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