

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Appeal (SJ) No.3469 of 2018**

Arising Out of PS.Case No. -75 Year- 2017 Thana -RAJPUR District- BUXAR

=====

Mohan Trigun, Son of Shiv Mangal Trigun, R/o Village-Khiri, P.S.- Rajpur,  
District-Buxar.

.... .... Appellant/s

Versus

The State of Bihar

.... .... Respondent/s

=====

**Appearance :**

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

For the Respondent/s : Smt. Usha Kumari No.1, SPP

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**

**ORAL JUDGMENT**

**Date: 13-09-2018**

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 18.08.2018 in SC/ST Case No.156 of 2017 passed by the learned 1<sup>st</sup> Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Buxar, in connection with Rajpur Police Station Case No.75 of 2017 registered under Sections 302/34 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(2)(v)(a)(b) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

According to FIR, co-accused- Santosh Tiwary fired at Kamta Ram, which caused injury at the back, as a result whereof, Kamta Ram died subsequently. The appellant is



not named in the FIR. Apparently, the name of appellant has surfaced during investigation on suspicion.

In the circumstances, 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/-

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