

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3876 of 2018

Arising Out of PS. Case No.-93 Year-2018 Thana- BARIYARPUR District- Munger

=====

Gaurav Mandal @ Yashwant Gaurav, S/o Bablu Mandal @ Hemant Kumar Singh, resident of Village- Gandhipur, P.S.- Bariarpur, Distt.- Munger.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Kumar Kamal Nayan
For the Respondent/s : Smt. Usha Kumari No-1

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 11-10-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail vide order dated 29.09.2018 passed by the learned Additional Sessions Judge-1st -cum-Special Judge SC/ST Act, Munger in Bariarpur Police Station Case No.93 of 2018 registered under Sections 341, 323, 307, 379/34 of the Indian Penal Code as well as Section 27 of the Arms Act and Section 3(1)(r)(s)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Submission is that the appellant is not named in the F.I.R. The name of the appellant surfaced after fifteen days of the



investigation in the statement of the victim of firearm injury, who is brother of the informant.

His contention is that informant is also an eyewitness of the occurrence.

Considering the aforesaid facts, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with the aforesaid case, subject to the condition that 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)

abhishek/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

