

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4199 of 2018

Arising Out of PS. Case No.-300 Year-2018 Thana- MOHANIYA District- Bhabhua (Kaimur)

Ghasi Paswan Son of Ramdhyan Paswan R/o Village Nibi, P.S. Chand,
District Kaimur at Bhabua

... .. Appellant/s

Versus

1. The State of Bihar
2. Dindayal Ram S/o late Rajpati Ram, Village Amarpur, P.S. Mohania, District Kaimur at Bhabua

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Tribhuwan Narayan
For the Respondent/s : Mr. Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 10-12-2018

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 07.09.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Kaimur at Bhaua in SC/ST Reg. No.78 of 2018, arising out of Mohania Police Station Case No.300 of 2018 registered under Sections 302, 201/34 of the Indian Penal Code as well as Section 27 of the Arms Act and Sections 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Appellant is not named in the F.I.R. of the occurrence of murder. However, during investigation it revealed that the appellant



had gone along with the deceased in a marriage party. Both had consumed wine and during course of snatching the pistol kept by the appellant, the victim sustained firearm injury and he died.

Considering the material aforesaid as well the fact that appellant has got no criminal antecedent and he is in custody since 12.07.2018 and investigation of the case is complete, 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	NAFR
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