

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3126 of 2018

Arising Out of PS.Case No. -289 Year- 2018 Thana -SAHARSA District- SAHARSA

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1. Prakash Singh Son of Ashok Kumar Singh, resident of Village - Bharouli
Dhakjari, P.S. Sonbarsa Kachahari, District - Saharsa.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Amarnath Jha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 24-09-2018

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 vide order dated 23.07.2018
passed by the learned 1st Additional Sessions Judge-cum-Special
Judge I/C., Saharsa, in connection with Saharsa Sadar Police Station
Case No.289 of 2018, registered under Section 394 of the Indian
Penal Code, Section 27 of the Arms Act and Section 3(i)(r)(s) of the
Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)
Act, 1989.

The FIR of the occurrence of robbery is against
unknown.

Submission is that the appellant is in custody since



17.05.2018. Investigation of the case is already closed. Nothing incriminating was recovered from the possession of the appellant nor the appellant was ever put on Test Identification Parade.

Considering the aforesaid fact, 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 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 appeal is allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.09.2018
Transmission Date	27.09.2018

