

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3793 of 2018

Arising Out of PS. Case No.-188 Year-2018 Thana- JOGBANI District- Araria

Ajay Sah @ Ajay Kumar Sah, Son of Ram Chandar Sah, Resident of Village-
Khajurbari (Swastik Nagar), Ward No.7, P.S.- Jogbani, Dist- Araria.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 27-11-2018

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 16.08.2018 in Special SC/ST Case No. 122 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Araria in connection with Jogbani P.S. Case No. 188 of 2018 registered under Sections 307, 302/34, 120B of the Indian Penal Code as well as Section 3(ii)(v) of the SC/ST Act.

Specific allegation is against co-accused Mohan Mandal to have caused firearm injury and death of the son of the informant as well as firearm injury to the informant.

Allegation against the appellant is that he was also



along with Mohan Mandal and had fired which caused no injury to any one. Appellant is in custody since 17.07.2018. Investigation of the case is already complete. There is no allegation of tampering with the evidence.

Considering the nature of allegation against the appellant and other facts aforesaid, 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 as well as condition that both the bailors shall be resident of the territorial jurisdiction of the learned court below.

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

(Birendra Kumar, J)

Kundan/Rajan

AFR/NAFR	N.A.
CAV DATE	N.A.
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