

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2048 of 2018

Arising Out of PS.Case No. -17 Year- 2018 Thana -TIYAR District- BHOJPUR

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1. Barun Kamkar @ Barun Kinkar, Son of Late Ramdev Singh, Resident of
Village- Hetampur, P.S.- Tiar, District- Bhojpur.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

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

For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 10-09-2018

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 22.05.2018 in SC/ST Case No.85 of 2018 arising out of Tiar P.S.Case No.17 of 2018 passed by the learned Addl. District and Sessions Judge-1st, Bhojpur at Ara registered under Sections 341,323,307,504,506/34 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(i)(r)(s)/2(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellant is that he twice fired at the informant. The second fire caused injury at the elbow of the informant. The Doctor has found firearm wound of entry and exit at the elbow of the injured. Appellant is in



custody since 05.05.2018. There is case and counter case. Appellant has got no criminal antecedent.

Considering the entire facts of this case, let the appellant, above named, be released on bail **on completion of six months of custody or on framing of the charge whichever is earlier** 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/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	11.09.2018
Transmission Date	11.09.2018

