

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3260 of 2018

Arising Out of PS. Case No.-218 Year-2018 Thana- HAJIPUR District- Vaishali

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Sujeet Kumar @ Bhuila, Son of Devendra Paswan, Resident of village/Mohalla- Bagmali, Anjan Peer, Police Station- Hajipur Nagar, District- Hajipur (Vaishali).

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Vijay Kumar @ Vijay Kr. Singh, Adv
For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 26-11-2018

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 against the refusal of prayer for bail by order dated 25.07.2018 in Hajipur Nagar P.S. Case No.218 of 2018 passed by the learned Additional Sessions Judge-1, Vaishali at Hajipur, registered under Sections 302, 353, 224, 120(B)/34 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

According to FIR, co-accused-Prince Kumar, who was prisoner at the time of occurrence and was being produced in the court, is alleged to have fired from



pistol causing injury and death of Hawaldar-Ram Ekbal Ravidas. Appellant is not named in the FIR. However, during investigation, appellant was apprehended and his confessional statement was recorded, where he simply admitted that he was also present during the occurrence.

Since, no overt-act is alleged against the appellant, who is in custody since 15.04.2018, 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 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
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