

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No. 348 of 2018

Arising Out of PS.Case No. -450 Year- 2017 Thana -KHAZANIHAT District- PURNIA

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1. Bahadur Chouhan @ Lal Bahadur Chouhan, Son of Moti Chouhan, Resident of
Village - Barbanna, Police Station - K. Hat, District - Purnea.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 13-07-2018

Heard learned counsel for the parties.

This is an appeal under Section 14A(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 by order dated 11.10.2017 in Special SC/ST Case No. 135 of 2017 passed by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Purnea in connection with K. Hat P.S. Case No. 450 of 2017 registered under Section 302 of the Indian Penal Code as well as Sections 3(2)(v) of the SC/ST Act.

According to FIR, the appellant gave a blow with a sharp cutting weapon at the thigh of the son of the informant as a result whereof the victim sustained profused bleeding which resulted



in his death. The Doctor has found sharp cut penetrating wound at the left thigh of the deceased as per the post-mortem report.

Submission is that the appellant is in custody since 06.07.2017. There is no allegation of repetition of blow and the occurrence allegedly took place at the spur of moment. The trial has not begun as yet.

Finding substance in the aforesaid submission, 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)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	16.07.2018
Transmission Date	16.07.2018

