

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3955 of 2018

Arising Out of PS. Case No.-300 Year-2018 Thana- MOHANIYA District- Bhabhua
(Kaimur)

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Ravi Prakash Kharwar Son of Ashok Kumar Kharwar R/o Village-Kasthari,
P.S. Durgawati, Distt.-Kaimur at Bhabua

... .. Appellant/s

Versus

1. The State of Bihar
2. Dindyal Ram S/o late Rajpati Ram R/o Village-Amarpur, P.S. Mohania,
Distt.-Kaimur at Bhabua

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Tribhuwan Narayan
For the Respondent/s : Mr.Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 21-12-2018

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 07.09.2018 in SC/ST Reg. No. 78 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Kaimur at Bhabua in connection with Mohania P.S. Case No. 300 of 2018 registered under Sections 302, 201/34 of the Indian Penal Code, Section 27 of the Arms Act as well as Section 3(2)(v) of the SC/ST Act.

Appellant is not named in the FIR of the occurrence of murder. However, during investigation, it revealed



that the appellant had gone along with the deceased in a marriage party. Both had consumed wine and during course of snatching the pistol kept by the appellant, the victim sustained firearm injury and he died.

Considering the material aforesaid as well the fact that appellant has got no criminal antecedent and he is in custody since 12.07.2018 and investigation of the case is complete, 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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