

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4086 of 2018

Arising Out of PS. Case No.-217 Year-2017 Thana- SAHPUR District- Bhojpur

Ashok Mishra, Son of Tarkeshwar Mishra, Resident of Village- Ram Dathi,
P.S.- Shahpur, District- Bhojpur.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Arun Kumar Pandey, Advocate
For the Respondent/s : Smt Usha Kumari No-1, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 07-12-2018

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, against the refusal of prayer for bail vide order dated 24.09.2018 passed by the learned Additional Sessions Judge 1st , Ara, in SC/ST Case No.604 of 2017, arising out of Sahpur Police Station Case No.217 of 2017, registered under Sections 323/324/307/506/120B/34 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3(I)(R)(S)/3(2)(V) (A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. Later on offence under Section 302 of the I.P.C. was added.



The FIR discloses allegation of firing against co-accused Brijesh Rai, Ranjan Rai and Rameshwar Rai, which caused injury to Rajendra Tatwa. When the informant came, the appellant and others fled away.

Submission is that other accused having similar allegation to that of the appellant have already been allowed bail by a co-ordinate Bench of this Court.

Considering the aforesaid fact, 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 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 appeal is allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	10.12.2018
Transmission Date	10.12.2018

