

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3080 of 2018

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

Ritesh Rai, Son of Late Bishuni Rai, 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
For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 13-09-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail vide order dated 27.07.2018 passed by the learned Additional Sessions Judge-1st, Ara in S.C./S.T. Case No.604 of 2017, arising out of Shahpur Police Station Case No.217 of 2017 registered under Sections 323, 324, 307, 506, 120(B)/34 of the Indian Penal Code. Later on Section 302 of the Indian Penal Code was added with Section 27 of the Arms Act and Section 3(i)(r)(s), 3(2)(v)(a) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



The F.I.R. 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/- (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)

abhishek/-

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CAV DATE	
Uploading Date	
Transmission Date	

