

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3919 of 2018

Arising Out of PS. Case No.-113 Year-2017 Thana- MAHESHKHUNT District- Khagaria

Nishant Kumar Son of Late Vinay Singh, Resident of Village- Patla, Police
Station- Maheshkhunt, District Khagaria.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Viveka Nand Singh, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 20-12-2018

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 08.01.2018 passed by the learned Additional Sessions Judge-I, Khagaria, in connection with Supplementary Maheshkhut Police Station Case No.113 of 2017, registered under Sections 341/324/307/34 of the Indian Penal Code and Section 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

This is the second attempt of the appellant for grant of bail. Earlier prayer was refused on 29.03.2018 in Cr. Appeal



(SJ) No. 611 of 2018 with liberty to renew the prayer after completion of six months of custody from the date of that order, if the trial is not concluded in the meantime.

The report of the trial Judge would reveal that charges were framed on 27.09.2018 and thereafter no prosecution witness had turned up.

Considering the fact that the appellant is in custody since last one year having allegation that along with others he gave dagger blow at the abdomen of the injured, 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 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
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