

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.744 of 2018

Arising Out of PS.Case No. -116 Year- 2017 Thana -SRI NAGAR District- MADHEPURA

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1. Nawal Kishore Jha S/o late Sadanand Jha, R/o Village- Ramganj, P.S.-
Kumarkhand, District- Madhepura.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Dinesh Prasad Verma, Adv.

For the Respondent/s : Mr. Binay Krishna, SPP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 15-03-2018

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 by the learned Special Judge S.C./S.T. Act, Madhepura, in connection with H.A Case No.21 of 2018 arising out of Srinagar P.S.Case No.116 of 2017 registered under Sections 341,342,323,324,325,307,302,427,504,506/34 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3(1)(S) 3(i) (w)(ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

On the order of the appellant, three other named persons including Chandra Kishore Jha had fired. However, due to fog, it could not be seen by the informant as



to whom the firing had hit. Later on, it revealed that firing had hit to Jagdish who died. The postmortem report revealed that the single firearm injury was found on the person of the deceased.

Considering the aforesaid material, co-accused Chandra Kishore Jha was allowed bail by this Court in Criminal Appeal (SJ) No.3365 of 2017 vide Annexure-5.

Case of the appellant is on better footing, hence, 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 appeal stands allowed.

(Birendra Kumar, J)

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