

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2132 of 2018

Arising Out of PS,Case No. -164 Year- 2017 Thana -RAJPUR District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Bhushan Kumar @ Bhushan Bhagat S/o Raja Bhagat, resident of Village-
Nakardewa, P.S. Rajepur, District E. Champaran. Appellant/s

Versus

1. The State of Bihar Respondent/s

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Appearance :

For the Appellant/s : Mr. Dhananjay Kumar No.2, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 20-07-2018

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 order dated 14.05.2018 passed by the learned 1st Addl. District and Sessions Judge-cum-Special Judge, East Champaran Motihari, in connection with Rajepur Police Station Case No.164 of 2017 arising out of Tr.No. (SC/ST) 44 of 2018 registered under Sections 341,323,307/34 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The informant sustained firearm injury near his cheek but he is not specific, as to who had fired at him, though the appellant was already with the informant. In the subsequent statement, the informant stated that the appellant had fired, causing injury. No other eye witness supported the aforesaid



facts.

Considering the aforesaid infirmity, 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 both bailors shall be resident of territorial jurisdiction of the learned court below and further 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)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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