

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3797 of 2018

Arising Out of PS.Case No. -538 Year- 2011 Thana -SAHARSA District- SAHARSA

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Rajan Singh @ Rajan Kumar Singh S/o Sri Madan Prasad Singh @ Manoj Kumar
Singh @ Madan Singh, R/o Village-Panchgachiya, P.S.-Bihra, District-Saharsa.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bhaskar Shankar, Adv

For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 08-10-2018

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 07.07.2018 in G.R. No.1909 of 2011 arising out of Saharsa Sadar P.S.Case No.538 of 2011 passed by the learned Additional Sessions Judge-1-cum-Special Judge Incharge, Saharsa, registered under Sections 307,341,323,325,34 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(X) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation in the FIR is of commission of firearm injury at the ankle of Raja Srivastava. However, the Doctor has found injury caused by hard and blunt substance.

Considering the aforesaid inconsistency, 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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