

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.795 of 2019

Arising Out of PS. Case No.-34 Year-2018 Thana- BHITAHA District- West Champaran

Shesnath Kushwaha, son of Channar Kushwaha Resident of Village-
Khairawa, Belwaniya, P.S.- Bhitaha, District- West Champaran.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Milind Kumar Mishra
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 16-04-2019

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 13.12.2018 in B.P. No.4243 of 2018 passed by the Additional Sessions Judge Ist-cum-Special Judge, Bettiah, West Champaran in connection with Bhitaha P.S. Case No.34 of 2018 registered under Sections 341, 323, 337 and 504 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The informant was allegedly assaulted by the appellant with the butt of the pistol.



Considering the nature of allegation and statement of the appellant that he has got no criminal antecedent and he is in custody since 12.11.2018, 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)

sanjeev/-

AFR/NAFR	NAFR
CAV DATE	NA
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