

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL APPEAL (SJ) No.723 of 2019**

Arising Out of PS. Case No.-320 Year-2018 Thana- BAHADURPUR District- Patna

PRINCE KUMAR Son of Arun Kumar R/o village- Panmchgawan, P.S-  
Akbarpur, District- Nawada.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr.Purushotam Sharma  
For the Respondent/s : Mr.Sadanand Paswan

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR  
ORAL ORDER**

2      07-03-2019                      Heard learned counsel for the Parties.

This is an appeal under Section 14(A)(2) of SC & ST (Prevention of Atrocities) Amendment Act, against the refusal of prayer for bail by order dated 07.02.2019 passed by learned Special Judge SC/ST (Prevention of Atrocities) Act, Patna in connection with Bahadurpur P.S. Case No. 320 of 2018 (Special Case No. 591 of 2018) registered under Sections 307, 302,34 of the Indian Penal Code and Section 27 of Atrocities Act and also 3(2)(v) SC/ST Act.

It has been submitted on behalf of the appellant that appellant is not named in the FIR. His name has surfaced in this case only on the basis of confessional statement of co-accused Shivam. The main allegation of firing is against co-accused Shivam. It has been further submitted that appellant is a student



and he was living in Saidpur Hostel where police reached and arrested him. Appellant has no criminal antecedent and he is in custody since 10.01.2019.

Considering the aforesaid facts and circumstances of the case, let the appellant named above be released on bail upon furnishing bail bond of Rs. 20,000/-(twenty thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with the aforesaid case, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the appellant tampers with the



evidence or the witnesses of the case,  
in that case, prosecution will be at  
liberty to move for cancellation of  
bail of the appellant.

Accordingly, the impugned order is set aside and this  
appeal stands allowed.

**(S. Kumar, J)**

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