

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1647 of 2019

Arising Out of PS. Case No.-71 Year-2019 Thana- HAJIPUR SADAR District- Vaishali

RAJIV KUMAR @ RAJIV KUMAR RAY, Son of Mahendra Ray, Resident
of Village - Digghi Kala, P.S. - Sadar, Hajipur, District - Vaishali at Hajipur
... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sachin Kumar

For the Respondent/s : Mr. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 04-06-2019

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail vide order dated 03.04.2019 in Hajipur Sadar P.S. Case No. 71 of 2019 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Vaishali at Hajipur in connection with the aforesaid case registered under Sections 147, 148, 149, 447, 307, 302, 504, 506 of the Indian Penal Code, Section 27 of the Arms Act as well as Section 3(2)(v)(a) of the SC/ST Act.

32 accused are named in the FIR whereas 50 unknown persons were there, all variously armed. Co-accused Raju Kumar, Son of Jyoti Rai allegedly fired causing injury to Chandani Kumari at her abdomen as a result whereof she died.



Co-accused Manish Kumar, Rajesh Rai and Rakesh Rai had also fired from there respective firearms causing injury to others. No overt act alleged against the appellant and similarly situated some other co-accused have been allowed bail by a different Coordinate Bench of this Court in Cr. Appeal (SJ) No. 1906 of 2019, Cr. Appeal (SJ) No. 1618 of 2019, Cr. Appeal (SJ) No. 1774 of 2019 and Cr. Appeal (SJ) No. 1694 of 2019.

Hence, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees 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, subject to the 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 as well as condition that both the bailors shall be resident of the territorial jurisdiction of the learned court below.

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

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	07.06.2019
Transmission Date	07.06.2019

