

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1715 of 2019

Arising Out of PS. Case No.-106 Year-2018 Thana- RAGHOPUR District- Vaishali

1. SHATRUHAN ROY aged about 63 years, Male, Son of Late Ram Nandan Roy Resident of Village- Rampur Shyam Chand, P.S.- Raghapur, District- Vaishali.
2. Pramod Ray aged about 37 years, Male, Son of Late Krishnanadan Ray Resident of Ward No.-08, Village- Rampur Shyam Chand, P.S.- Raghapur, District- Vaishali.
3. Ram Babu Rai aged about 65 years, Male, Son of Late Ram Bilash Rai Resident of Village- Rampur Shyam Chand, P.S.- Raghapur, District- Vaishali.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Shaishav Kumar

For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL JUDGMENT

Date : 25-04-2019

Heard learned counsel for the appellant and the learned counsel appearing for the State.

This appeal is directed against the order dated 26.02.2019 passed by 1st Additional Sessions Judge-cum-Special Judge, Hajipur in A.B.P. No. 360 of 2019 in connection with Raghapur P.S. Case No. 106 of 2018 registered under sections 147, 148, 323 and 386 of the Indian Penal Code and Sections 3(1) of the S.C./S.T. (Prevention of Atrocities) Act.

Learned counsel appearing for the appellant submits that the appellant has been falsely implicated in this case due to dirty village politics. The present complaint case



has been filed after five months of the alleged occurrence without there being any plausible explanation for the delay. From the allegations levelled, no case under the SC/ST Act is made out against this appellant. Appellant is a man of clean antecedent.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the appellant, above named, in the event of arrest or surrender within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 25,000/- (Twentyfive thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge, I-cum-Special Judge, Hajipur, Vaishali in connection with Raghapur P.S. Case No. 106 of 2018 subject to the conditions laid down under section 438(2) Cr. P.C.

This appeal is allowed and the impugned order dated 26.02.2019 is set aside.

(Arvind Srivastava, J)

mcv/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

