

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.3518 of 2018**

Arising Out of PS. Case No.-43 Year-2018 Thana- BARABAR TOURIST District- Jehanabad

Manish Kumar, Son of Ramchandra Thakur, Resident of Moh.- Postalpark  
Kali- Mandir, Road No. 3, Police Station- Jakkanpur, District- Patna.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr.Anup Kumar Sinha, Adv.

For the Respondent/s : Mr.Sadananad Paswan (APP)

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

7      18-02-2019

Heard the parties.

This is an appeal under Section 14(A) (2) of SC & ST (Prevention of Atrocities) Act, against the refusal of prayer for bail by order dated 31.07.2018 passed by learned 1st Additional District and Sessions, Jehanabad, in connection with Barbar Paryatak (Vishnuganj O.P.) P.S. Case No. 43 of 2018, registered under Sections 307 of the Indian Penal Code, Section 27 of Arms Act and Section 3 (1) (r) (s) of SC /ST (POA)Act.

Informant is the father of injured who in his written complaint has stated that his son had gone for videographing the marriage where villagers had assembled and firing was being made and by mistake of petitioner one fire arm injury was caused on the left leg of his son.



It has been submitted on behalf of the appellant that he is innocent and has stated that if assuming allegation to be true it was an accidental injury caused by mistake although caused by firearm however nature of injury has been found to be simple. He has no criminal antecedent and is in custody since 05.05.2018.

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 shall remain physically present as directed by Court and their absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (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)**

Rajiv/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

