

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4085 of 2018

Arising Out of PS. Case No.-93 Year-2018 Thana- BARIYARPUR District- Munger

Vishwajit @ Vishwa S/o Uma Shankar Mandal, Resident of Village-
Gandhipur, P.S.- Bariyarpur, Distt- Munger.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Kumar Kamal Nayan
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

5 31-01-2019 Heard learned counsel for the parties.

This is an appeal under Section14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail by order dated 29.9.2018 passed by ADJ 1st -cum- Special Judge, SC/ST Act, Munger in connection with Bariyarpur P.S. Case No. 93 of 2018 registered under Sections 341, 323, 307, 379, 34 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3(1), (r) (s)/3(2) (v/a) of the Scheduled Castes and Scheduled Tribes Act.

The informant has alleged that the petitioner and co-accused Chotu Mandal had fired upon his brother, Deepak Kumar. One bullet fired by the petitioner hit at the face of victim and another bullet fired by Chotu Mandal hit the chest of



the victim as a result of which Deepak kumar was brutally injured. When the informant tried to save the victim, the accused persons made air firing and threatened the informant of dire consequences.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case.

Considering the facts and circumstances of the case and also the fact that there is direct allegation against the petitioner of firing, I am not inclined to enlarge the petitioner on bail. Hence, the prayer for bail of the petitioner is hereby rejected

However, petitioner would be at liberty to renew his prayer after completing one year in jail custody.

This appeal is dismissed.

(S. Kumar, J)

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