

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3237 of 2019

Arising Out of PS. Case No.-115 Year-2019 Thana- BIKRAM District- Patna

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Rajnish Kumar Son of Mithlesh Singh Resident of Village- Jalpura, Post-
Masaudha, Police Station- Paliganj, District- Patna.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjay Kumar Singh
For the Respondent/s : Mr. Binay Krishna

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 07-08-2019 Heard learned counsel for the appellant and learned
Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act against the refusal of prayer for bail vide order
dated 09.07.2019 passed by learned A.D.J. XIII cum Special
Judge, SC/ST Act, Patna in Bikram P.S. Case No. 115 of 2019
registered under Sections 147, 148, 149, 341, 323, 354(a)(b),
307, 302, 365 of the Indian Penal Code and Section 3(i)(r)(s)(w)
(I)/3(2)(va) of the Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act.

Over row of changing tempo, the driver of the
former tempo called his associate and all the named accused



persons along with 6-7 unknown miscreants assaulted the informant and her husband by means of lathi. Her husband succumbed to injury during the course of treatment in the PMCH.

It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. He is not named in the FIR. There is nothing on the record indicating the complicity of the appellant in the occurrence barring the confessional statement of co-accused Rahul Raj out of grudge as the appellant, who happens to be Registrar of ITI College, Gorkhari Bikram had denied to give admission to the said accused in the college. Appellant has no criminal antecedent and has been languishing in custody since 24.06.2019.

Learned Spl. PP for the State opposed the prayer for bail.

In the facts and circumstances of the case, the above named appellant is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J. XIII cum Special Judge, SC/ST Act, Patna in connection with Bikram P.S. Case No. 115 of 2019.



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

(Prakash Chandra Jaiswal, J)

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