

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3360 of 2019

Arising Out of PS. Case No.-519 Year-2017 Thana- HAJIPUR SADAR District- Vaishali

Lakhindra Sahani Son of Late Kailash Sahani Resident of Village - Thathan
Bazurg, P.S.- Hajipur Sadar, Dist.- Vaishali.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Vasant Vikas
For the Respondent/s : Mr. Binay Krishna

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

ORAL ORDER

3 16-09-2019 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 06.07.2019 passed by learned 1st Addl. Sessions Judge-
cum-Special Judge, Vaishali at Hajipur in Hajipur Sadar P.S.
Case No. 519 of 2017 registered under Sections 341, 342, 302,
120B of the Indian Penal Code, Section 27 of the Arms Act and
Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act.

In the course of morning walk undertaken by the
husband and son of the informant appellant Lakhindra Sahani



was present there. In the meantime, six motorcycle borne criminals also arrived there and co-accused Dilip Sahni and Mantu Paswan resorted firing upon stomach and waist, respectively, of her husband and all the accused persons made the son of the informant captive. Her husband also disclosed her about name of Mantu Paswan and Dilip Sahni as his assailant and conspiracy of Jitua in the occurrence. He succumbed to injury during the course of treatment.

It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. He has been falsely implicated in this case due to previous animosity. He does not happen to be assailant. Appellant has been languishing in custody since 28.03.2019. Charge-sheet in the case has been submitted.

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 1st Addl. Sessions Judge-cum-Special Judge, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 519 of



2017.

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

(Prakash Chandra Jaiswal, J)

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