

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3930 of 2019**

Arising Out of PS. Case No.-237 Year-2019 Thana- BUXAR District- Buxar

Deepu Kumar Shyam Bihari Ram @ Sham Bihari Ram Resident of Mohalla -
Nai Bazar Akraura, Ward No. -05, P.S.- Buxar (Town), District- Buxar

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Arun Kumar Gupta
For the Respondent/s : Mr. Sadanand Paswan

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

ORAL ORDER

2 17-09-2019 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 12.06.2019 passed by learned 1st Addl. Sessions Judge-
cum-Special Judge, Buxar in Buxar (Town) P.S. Case No. 237
of 2019 registered under Sections 147, 148, 149, 302, of the
Indian Penal Code Act, Section 27 of the Arms Act and Section
3(ii)(v) of the Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act.

Nine accused persons including the appellant
arriving at the egg shop of brother-in-law of the informant



demanding egg slating him. On protest made by her brother-in-law, co-accused Cheddi Yadav whipping out pistol resorted firing upon him. Thereafter all the accused persons left the scene. He was rushed to the hospital but was declared brought dead by the doctor.

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 dirty village politics. He does not happen to be assailant. Allegation of resorting firing upon the deceased is only against Cheddi Yadav and doctor conducting autopsy of the cadaver of the deceased has found only one injury on the head of the deceased. Appellant has no criminal antecedent and has been languishing in custody since 16.03.2019.

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 1st Addl. Sessions Judge-cum-Special Judge, Buxar in connection with Buxar (Town) P.S. Case No. 237 of 2019.



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

(Prakash Chandra Jaiswal, J)

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