

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4681 of 2018

Arising Out of PS. Case No.-995 Year-2018 Thana- MOTIPUR District- Muzaffarpur

Ram Babu Bhagat S/o Late Bhikhari Bhagat, R/o Vill.- Senduari Gajasingh,
P.S.- Motipur, district- Muzaffarpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Krishna Kant Singh

For the Respondent/s : Mr.Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 03-01-2019 Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail by order dated 24.11.2018 passed by learned 11th ADJ-cum-Spl Judge (SC/ST) POA Act, Muzaffarpur in connection with **Motipur P.S. Case No.995 of 2018 (G.R. No. 283 of 2018)** registered under Sections 147, 341, 323, 324, 379, 504 and 506 of the IPC and Section 3(i)r of SC/ST (Prevention of Atrocities) Act was added.

Informant has alleged that while he was returning to his house in the meantime FIR named accused variously armed assaulted him and there is specific allegation against petitioner Ram Babu Bhagat of inflicting Garasa injury as a



result of which he sustained cut injury on his hand and also snatched away cash, other ornaments and gold chain from his neck and abused him by his caste name.

It has been submitted on behalf of the appellant that he is innocent and has falsely been implicated in this case on the basis of previous dispute between the parties. In the injury report there is no sharp cutting injury found on the hand of informant as alleged by him. The injury of swelling and abrasion has been caused by hard and blunt substance. He has got no criminal antecedent and is in custody since 21.11.2018.

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/- 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 the Court and his absence on two consecutive dates without sufficient reason, 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)

ranjan/manoj-

U		T	
---	--	---	--

