

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.5153 of 2019**

Arising Out of PS. Case No.-701 Year-2019 Thana- FATUA District- Patna

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JULEY @ RAVISH @ JULI S/o Rakesh Kumar R/o village- Nohta, P.S.-  
Fatuha, District- Patna

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

=====

**Appearance :**

For the Appellant/s : Mr.Rakesh Singh  
For the Respondent/s : Mr.Sadanand Paswan

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

2      26-11-2019                      Heard learned counsel for the appellant and learned  
Additional Public Prosecutor for the State.

This is an appeal under Section 14(A)(2) of the SC/ST Act against the refusal of prayer for anticipatory bail vide order dated 23.10.2019 passed in A.B.P. No. 8007/19 by the learned Additional Sessions Judge-XX cum Special Judge SC/ST, Patna, in connection with Fatuha P.S. Case No. 701/2019 registered for the offence punishable under Sections 307/353/341/324/342/323/333/120(B)/504/147/148/149 of the Indian Penal Code and Section 25(1-b)a, 26/35 of the Arms Act and Section 3(i)(r)(s) the SC/ST (Prevention of Atrocity) Act.

Learned counsel for the Appellant submits that the present applicant is not named in the FIR, but only on the basis of the confession made before the police that the was also one of



those who was seen fleeing away from the place of occurrence, the petitioner's name has been brought in connection with the present case. It is further submitted that such a confession made before the police has no evidentiary value and moreover, the police were out to rope in the brother of the appellant (Rajnish) and, in fact, he was taken into custody two days prior to the occurrence i.e., on 06.10.2019. It is submitted that the appellant being the full brother of the co-accused Rajnish is apprehending his arrest on account of the allegations made and the provisions of SC/ST Act have been super-added only to make the charge graver.

Considering the nature of allegations made and there being no specific allegation as per the narration in the FIR, let the appellant above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XX cum Special Judge SC/ST, Patna, in connection with Fatuha P.S. Case No. 701/2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Accordingly, the impugned order is set aside and



appeal is allowed.

The appeal stands consigned.

**(Anjana Mishra, J)**

Saif/-

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