

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.974 of 2020

Arising Out of PS. Case No.-270 Year-2018 Thana- PHULPARAS District- Madhubani

KRISHNADEO SAH, Son of Ramdeo Sah, Resident of Village - Dharatol,
P.S. - Phulparas, District - Madhubani.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Gagan Deo Yadav, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 01-06-2020 The matter has been taken up through Video Conferencing.

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail vide order dated 27.01.2020 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. Act, Madhubani in connection with G.R. No. 181 of 2018 arising out of Phulparas P.S. Case No. 270 of 2018 registered under Sections 147, 341, 323, 324, 307, 354, 504 of the Indian Penal Code as well as Sections 3(i)(2)(S)(wl)(3)(2) of the SC/ST Act.

During occurrence of assault, the appellant allegedly assaulted with Tengari causing injury at the head of the informant. The Doctor has found simple injury caused by hard blunt substance. The appellant is in custody since 01.12.2019. Investigation of the



case is already complete.

Considering the facts aforesaid, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) 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, subject to the following conditions:-

(a) The appellant shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(c) The appellant shall not leave the country without permission of the learned trial court.

If the appellant would not be able in furnishing sureties due to lockdown, he shall be provisionally released on his personal bond and the provisional bail shall be confirmed only after production of the bailors within fifteen days of restoration of normal function of the Court.

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

(Birendra Kumar, J)

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