

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.950 of 2020

Arising Out of PS. Case No.-278 Year-2019 Thana- MOTIHARI MUFASIL District- East Champaran

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1. RAMAVATAR SAHANI @ RAMAUTAR SAHNI, Son of Late Shiv Sahani
 2. Pirthi Sahani, Son of Ramavatar Sahani, Both Resident of Village - Lakhaura, Purvari Tola, P.S. - Lakhaura, District - East Champaran at Motihari.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Jai Shanker Prasad, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

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

The defects be ignored.

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 10.02.2020 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA), Act, East Champaran at Motihari in connection with Motihari Muffasil (Lakhaura) P.S. Case No. 278 of 2019 registered under Sections 341, 323, 147, 448, 354(B), 504 of the Indian Penal Code as



well as Sections 3(i)(r)(s)w(i) of the SC/ST Act.

There is general and omnibus allegation of commission of house trespass and assault. Appellants are in custody since 23.01.2020. Investigation of the case is already complete against the appellants.

Considering the facts aforesaid, let the appellants, above named, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) each 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 appellants 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 appellants.

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

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

If the appellants would not be able in furnishing sureties due to lockdown, they shall be provisionally released on their 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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