

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL APPEAL (SJ) No.1080 of 2020**

Arising Out of PS. Case No.-219 Year-2018 Thana- BHAGWANPUR District- Begusarai

RANJIT RAI @ RANJEET RAI Son of Bhola Rai @ Bhola Ray @ Bhola
Yadav Resident of Village - Narharipur, Ward No. 8, P.S.- Bhagwanpur,
District- Begusarai

... .. Appellant

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Sandip Kumar Gautam, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl. P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)

3 01-06-2020 This application has been placed for consideration

by the order of the Hon'ble the Chief Justice through virtual
court proceeding.

Heard learned counsel for the appellant and learned
Spl. P.P. for the State.

This appeal is preferred against the order dated
17.01.2020 passed by learned Special Judge, SC/ST (Prevention
of Atrocities) Act in connection with Bhagwanpur P.S. Case No.
219 of 2018 registered for the offences punishable under
Sections 341, 323, 379, 504, 427/34 of the Indian Penal Code
and Sections 3(r) (s) of the SC/ST (Prevention of Atrocities) Act
whereby the prayer for regular bail of the appellant has been
rejected.

Learned counsel for the appellant submits that as per



the prosecution report, on 18.10.2018 the accused persons including the appellant had abused the informant and took out Rs. 10,000/- from his pocket which he opposed whereupon the accused persons threatened him with their pistol and when these matters were brought to the notice of the village society and on 20.10.2018 when the informant went to the accused persons with his villagers, the accused persons started abusing the petitioner taking their caste name and also assaulted him with lathi-danda and hand fists as also torn his shirt.

Learned counsel for the appellant submits that no alleged occurrence has taken place on 20.10.2018. It is further submitted that the medical examination report shows one injury on forehead and one injury on his knee which are simple in nature and caused by hard blunt object.

Learned counsel submits that there is no specific allegation against the appellant, the allegations are general and omnibus and the petitioner has remained in custody since 17.01.2020, investigation against him is complete and if the appellant is ordered to be released on bail he would abide by the terms and conditions which may be imposed by this Court.

Learned Spl. P.P. has opposed this appeal.

Considering the facts and circumstances of this case,



wherein the submission of learned counsel for the appellant is that the injuries on the person of the informant were found to be simple in nature, he is in custody since 17.01.2020, let the appellant above named be released on bail on furnishing of bail bonds of of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned learned Special Judge, SC/ST (Prevention of Atrocities) Act in connection with Bhagwanpur P.S. Case No. 219 of 2018, subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, oft he commission of which he is suspected, and

(c) that such person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of



India and the State Government with regard to COVID-19
Pandemic during the lockdown period. The authorities
concerned shall take appropriate steps to ensure such
observance prior to and after release of the petitioner.

Impugned order is hereby set-aside.

This appeal stands disposed of.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

