

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3089 of 2019

Arising Out of PS. Case No.-212 Year-2018 Thana- PATEPUR District- Vaishali

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BHELU RAY Son of Late Ajab Lal Ray, Resident of Village - Bardiha Turki,
Ward No. 4, P.O.- Bardiha Turki, P.S.- Patepur, District – Vaishali.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Satya Prakash Sinha

For the Respondent/s : Mr.Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

11 22-05-2020 Heard the parties through video conferencing.

This appeal is admitted.

This is an appeal under section 14 (A) (2) of the Scheduled Castes and Schedules Tribes (Prevention of Atrocities) Act, 1989, against the refusal of prayer for bail vide order dated 15.06.2019 passed by 1st learned Additional Sessions Judge-cum-Special Judge, Vaishali at Hajipur in connection with Patepur P.S. Case No.212 of 2018 registered for offence punishable under sections 341, 323, 324, 325, 354, 307, 385, 504, 506/34 of the Indian Penal Code and section 3 (i) (r) (s) of the SC/ST Act whereby and whereunder the prayer for regular bail made on behalf of the appellant has been rejected.

There is an allegation that Bhelu Ray, Bhugol Ray and Kiran Devi used to torture the informant by addressing his caste. It has also been alleged that Bhelu Ray used to take key of



his car and consumed entire patrol by going here and there. On 25.11.2018, Bhelu Ray demanded Rs.10,000/- from the informant by way of rangdari and also demanded the key of his car. On refusal, the accused persons came and started breaking the glass of the car, when the wife of the informant objected, accused Bhelu Ray caught hold her hair and assaulted her by fists and slaps. It has also been alleged that on 26.11.2018 all the three accused persons came to the house of the informant and assaulted his wife by means of knife, causing injury on her head. Accused Bhugol Ray assaulted her by means of iron rod causing fracture on her hand. Accused Kiran Devi also assaulted the wife of the informant and took out Rs.20,000/- from her. On information, the informant reached there and took her wife to Patepur Hospital, but looking to the seriousness, she was referred to Patna and where she was admitted in I.C.U..

Learned counsel for the appellant submits that the prosecution story is concocted one and the appellant has wrongly been implicated in the present case, inasmuch as, the appellant is in jail since 07.06.2019.

Looking to the period of custody, the appellant, above named, is directed to be released on bail on his personal bond to the satisfaction of the learned 1st Additional Sessions Judge-



cum-Special Judge, Vaishali at Hajipur in connection with Patepur P.S. Case No. 212 of 2018, subject to the condition that 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 bonds of the appellant.

Accordingly the impugned order dated 15.06.2019 is set aside and the appeal is allowed.

(Shivaji Pandey, J)

Mahesh/Pawan

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