

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5066 of 2019

Arising Out of PS. Case No.-195 Year-2019 Thana- MOUZAHDIPUR District- Bhagalpur

Bijay Das @ Bijay Ravidas Son of Late Purnima @ Karu Das Resident of
Mohalla- Sakrullachak, P.S.- Mojahidpur (Babarganj), District- Bhagalpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shiwesh Chandra Mishra, Advocate
For the Respondent/s : Mr. Binay Krishna, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 06-01-2020 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 against the refusal of prayer for bail by order dated 11.09.2019 passed in Mojahidpur Babarganj P.S.Case No.195 of 2019 by the learned III Additional Sessions Judge-cum-Special Judge, SC/ST Act, Bhagalpur under Sections 147, 148, 149, 342, 324, 302 and 326 of the Indian Penal Code and Sections 3(1)(r)(3)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation of firing fatal shot is against co-accused Sudhir Chaudhary. The appellant and others were members of the unlawful assembly.

Informant has opposed the prayer for bail.



Considering the fact aforesaid co-accused Ravi Kumar and Pankaj Chaudhary have already been allowed bail by different Benches of this Court, let the appellant released on bail on furnishing bail bond of Rs.20,000/- (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, with condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further 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.

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

(Birendra Kumar, J)

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