

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4817 of 2019

Arising Out of PS. Case No.-158 Year-2019 Thana- BHORE District- Gopalganj

SAURABH SHARMA @ B.N. SHARMA, Son of Late Rabi Shankar Sharma
@ Ravi Sharma, Resident of Village - Noniya Chhapra, Police Station -
Bhorey, District - Gopalganj.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Raghav Prasad, Advocate
For the Respondent/s : Mr. Sadanand Paswan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 04-02-2020

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail vide order dated 24.09.2019 in Bhorey P.S. Case No. 158 of 2019 passed by the learned 1st Additional Sessions Judge, Gopalganj in connection with the aforesaid case registered under Sections 341, 323, 307 of the Indian Penal Code, Section 27 of the Arms Act as well as Sections 3(1)(r), 3(2)(Va) of the SC/ST Act.

Appellant allegedly caused firearm injury at the thigh of the informant. The occurrence took place during a cultural programme. Appellant has got no criminal antecedent. He is in custody since 30.08.2019. Investigation of the case is already complete.

Learned counsel for the informant opposed the prayer for bail on



the ground that other witnesses, present at the time of occurrence, have supported the allegation against the appellant.

Considering the background under which the occurrence took place as well as nature of injury sustained by the informant and period already undergone by the appellant, 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.

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

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	05.02.2020
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