

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1195 of 2021

Arising Out of PS. Case No.-19 Year-2020 Thana- BITHAN BAZAR District- Samastipur

MD. RASID @ RAJA Son of Late Rajjak @ Md Rajjak Resident of Village -
Belahi, P.S.- Bithan, District - Samastipur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Abhay Shankar Singh, Advocate
For the Respondent/s : Mr. Vinay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 20-05-2021 Heard the parties in virtual Court proceeding.

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 vide order dated 19.12.2020 passed by the learned Special Judge (S.C./S.T. Act), Samastipur, in connection with Bithan Police Station Case No.19 of 2020 registered under Sections 302/120B of the Indian Penal Code, Section 27 of the Arms Act and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Appellant is not named in the FIR. Allegation of firing is against unknown person. Enmity for land dispute is alleged against other named accused persons in the FIR.

Considering lack of direct material against the



appellant, let the appellant, above named, be 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 the learned Court-below where the case is pending in connection with the aforesaid case, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The appellant shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

(c) The appellant shall not leave the country without permission of the trial Court.

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

(Birendra Kumar, J)

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