

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1144 of 2021

Arising Out of PS. Case No.-258 Year-2020 Thana- BIRAUL District- Darbhanga

Kamlesh Mukhiya Son of Pulkit Mukhiya Resident of Village - Sonpur, P.S.-
Biraul, Distt.- Darbhanga.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Surendra Kumar Mishra, 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) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail vide order dated 13.11.2020 passed by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Darbhanga, in connection with Biraul Police Station Case No.258 of 2020 registered under Sections 323/341/307/379/380/504/34 of the Indian Penal Code and Section 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The appellant allegedly caused injury at the head of Raja Kumar Ram with a Farsa. The doctor has found simple injury caused by hard and blunt substance. The appellant is in



custody since 20.10.2020. Investigation of the case is already complete.

Considering the material aforesaid and nothing to substantiate that the appellant is going to tamper with the evidence, 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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