

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1190 of 2021

Arising Out of PS. Case No.-222 Year-2020 Thana- HATHAURI District- Muzaffarpur

Himalay Rai S/O Asharfi Rai R/O Village- Chakki, P.S.Hathauri, District-
Muzaffarpur

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Arun Kumar, Advocate
For the Respondent/s : Ms. Usha Kumari, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 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 17.12.2020 passed by the learned 3rd Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Muzaffarpur, in connection with Hathauri Police Station Case No.222 of 2020 registered under Sections 341/323/324/326/307/504/34 of the Indian Penal Code and Section 3(i)(ii)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The injury report reveals that Mr. Amit Kumar son of the informant sustained burn injury of Acid. The allegation of throwing the Acid is not on the appellant. Allegation against the appellant is that he gave dagger blow to Amit Kumar. The



doctor has not found any other injury except burn injury on the person of the injured. The appellant is in custody since 09.10.2020. Investigation of the case is already complete.

Considering the facts aforesaid, 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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