

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1778 of 2021

Arising Out of PS. Case No.-428 Year-2020 Thana- SUGAULI District- East Champaran

ROBIN KUSHWAHA @ ROBIN KU. Son of Late Ganesh Kushwaha

Resident of Village - Koraiya, P.S.- Sugauli, Distt.- East Champaran.

... .. Appellant

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr. Ajay Kumar Tiwary, Advocate

For the Respondent/s : Mr. Binay Krishna, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 02-07-2021 Let the defects be removed within four weeks after
start of the physical Court.

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 by
order dated 04.02.2021 passed by the learned 1st Additional
Sessions Judge, East Champaran, Motihari in connection with
Sugauli P.S. Case No. 428 of 2020 registered under Sections
147, 149, 341, 323, 307, 302 of the I.P.C., Section 27 of the



Arms Act and Section 3(i)(r)(s) and 3(2)(v) of the SC/ST Act.

The allegation of firing and commission of firearm injury and death is against co-accused Yadolal Kushwaha and Om Prakash Kushwaha. There is general and omnibus allegation against others including the appellant of commission of assault.

Considering the nature of allegation against the appellant, statement of the appellant on oath that he has got no criminal antecedent and completion of investigation, let the appellant, above named, who is in custody since 13.01.2021, be released on bail, on furnishing bail bonds 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 the



appeal is allowed.

(Birendra Kumar, J)

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