

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.1913 of 2021**

Arising Out of PS. Case No.-146 Year-2020 Thana- JANTA BAZAR District- Saran

Mirtunjay Pandey @ Rudal Pandey Son of Shashi Kumar Pandey @ Shashi  
Shekhar Pandey Resident of Village - Basahi, P.S.- Janta Bazar, Distt.- Saran.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr. Sarva Deo Singh, Advocate  
For the Respondent/s : Mr. Akash Keshav, APP

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

2      08-07-2021      Heard the parties in virtual Court proceeding.

Let the defects, if any, be removed within four weeks  
of the start of the physical Court.

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 06.01.2021 passed by the learned 1<sup>st</sup> Additional  
Sessions Judge-cum-Special Judge (S.C./S.T. Act), Saran at  
Chapra, in connection with Janta Bazar Police Station Case  
No.146 of 2020, registered under Sections  
147/148/149/447/341/302/120B/506 of the Indian Penal Code,  
Section 27 of the Arms Act and Sections 3(1)(r)(s)/3(2)(v) of the



Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Learned counsel for the appellant contends that though the appellant is alleged to be a member of the unlawful assembly. However, no specific overt-act is alleged against the appellant; rather specific allegation is against co-accused Pushkar Pandey.

Learned counsel for the informant opposed the prayer for bail. However, the FIR is specific that there is no specific overt-act against the appellant.

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)

Mkr./-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

