

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2061 of 2021**

Arising Out of PS. Case No.-147 Year-2017 Thana- BARH District- Patna

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Rahul Kumar Singh @ Rahul @JAHUL Jaykar @ Rahul Singh Son Of Anil
Singh R/O Village- Bichali Malahi, P.S- Barh Dist- Patna

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Tej Narayan Singh, Adv
For the Respondent/s : Mr.Sadanand Paswan, APP

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

2 09-08-2021 Let the defect (s) be removed within four weeks after
start of the physical Court.

Heard the parties in virtual Court.

This is an appeal under Section 14(A)(ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2016 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail vide order dated 08.01.2021 passed by the learned A.D.J.-III-cum-Special Judge (SC/ST), Patna in Special Case No.415 of 2017, arising out of Barh Police Station Case No.147 of 2017 registered under Sections 147, 148, 149, 307, 326, 427 of the Indian Penal Code. Later on Section 302 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(i)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



The F.I.R. would reveal that allegation of firing is against several named persons, including the appellant. However, it is not specific as to who had caused the single firearm injury to Sukhdeo Paswan, which resulted in his death. The case diary would reveal that before the Police no one has specifically stated that who had caused the firearm injury to Sukhdeo Paswan. The appellant is in custody since 04.12.2020.

Considering the nature of allegation and the material available on the record, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with the aforesaid case, with following conditions:

(a) Both the bailors shall be 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 this



appeal stands allowed.

(Birendra Kumar, J)

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