

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2145 of 2021

Arising Out of PS. Case No.-121 Year-2020 Thana- DULHIN BAZAR District- Patna

SUNIL KUMAR Son of Saryoug Kahar Resident of Village- Aainkha, P.S.-
Dulhin Bazar, District- Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shashank Shekhar, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 26-10-2021

Heard learned counsel for the parties.

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 23.09.2020 passed by the learned Special Judge (S.C./S.T. Act), Patna, in connection with Dulhin Bazar Police Station Case No.121 of 2020 registered under Sections 307/120B/34 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(2)(ii)(iii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Suspicion is there against the appellant of commission of fire-arm injury to the wife of the informant at the time when she was walking at the roof.

Submission is that only material is suspicion. There



is no eyewitness of the occurrence that appellant had shot fire at the wife of the informant. The appellant is in custody since 06.02.2021. Investigation of the case is already complete.

Considering the nature of material and completion of investigation, 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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