

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2154 of 2021**

Arising Out of PS. Case No.-240 Year-2020 Thana- SIWAN MUFFASIL District- Siwan

Rajan Kumar S/O Late Durga Sah R/O Village-Dakhin Tola, Guljar Bazar,
Police Station-Siwan Town, District-Siwan.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ashok Kumar, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 01-10-2021 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 14.10.2020 passed by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Siwan, in connection with Special Trial No.32 of 2020, arising out of Siwan Muffasil Police Station Case No.240 of 2020, registered under Sections 341/323/307/34 of the Indian Penal Code, Sections 25(1-b)a/26/27/35 of the Arms Act and Section 3(i)(r)(s)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.



Allegation is of commission of injury with butt of the pistol to the informant.

Submission is that if the petitioner would have carrying intention to commit murder he would have used the pistol instead of its butt. The appellant is in custody since 30.05.2020. The appellant has got criminal antecedents.

Considering the period already undergone and nature of allegation against the appellant as well as no material to substantiate that the appellant is going to tamper with the evidence, 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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