

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2194 of 2021**

Arising Out of PS. Case No.-42 Year-2020 Thana- GHOSWARI District- Patna

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Vikash Kumar @ Landha Son of Late Shiv Dani Yadav Resident of Goshain
Gaon, Ward No. 6, P.S.- Ghoshwari, District- Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Ravi Shanker Pankaj, Advocate
For the Respondent/s : Mrs. Usha Kumari No.I, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 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 11.01.2021 passed by the learned Additional Sessions Judge III-cum-Special Judge (S.C./S.T. Act), Patna, in connection with Ghoswari Police Station Case No.42 of 2020 corresponding to Special Case (SC/ST) No.169 of 2020, registered under Sections 147/341/323/379/452/ 307/ 504 /506 / 354 of the Indian Penal Code and Sections 3(1)(r)(s)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of



Atrocities) Act, 1989.

Submission is that though there is allegation of commission of murderous assault. However, the doctor has found simple injury. There is no eyewitness except the informant, who stated that the appellant was involved in the occurrence. Investigation of the case is already complete.

Learned counsel for the informant opposed the prayer for bail.

Considering the nature of allegation and period already undergone by the appellant since 07.12.2020, 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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