

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2285 of 2021

Arising Out of PS. Case No.-260 Year-2020 Thana- BARH District- Patna

Rudal Kumar, S/O Ram Janam Yadav @ Ramjanam Rai @ Ramjanm Gop @
Lallu Rai, R/O Village + Post- Bhatgaon, P.S.-Barh, District-Patna

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Uma Shankar, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 15-07-2021 The matter has been listed today for consideration
through video conferencing.

Heard learned counsel for the appellant and the
learned Special P.P. for the State.

The appellant has preferred the present appeal under
Section 14A(2) of the Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act, 1989 against the refusal of his
prayer for regular bail, vide order dated 26.02.2021 passed in
Special Case No.324 of 2020 by learned Additional District &
Sessions Judge-III cum Special Judge, SC/ST, Patna, in
connection with Barh P.S. Case No.260 of 2020 instituted for
the offence under Sections 341, 323, 307, 504/34 of the I.P.C.,
Section 27 of the Arms Act and Section 3(i)(r)(s)/3(2)(va) of the
SC/ST (Prevention of Atrocities) Act and also for setting aside



the aforesaid order dated 26.02.2021.

The appellant allegedly caused firearm injury on the right leg of one Azad.

Learned counsel for the appellant submits that the appellant has got no criminal antecedents. He is in custody since 01.09.2020. Investigation of the case is already complete. Similarly situated co-accused, namely, Badal Kumar, has been enlarged on bail in Cr.Appeal (SJ) No.1768 of 2021, vide order dated 01.07.2021.

Learned Special P.P. has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow appellant's prayer for bail.

Accordingly, let the appellant, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-III cum Special Judge, SC/ST, Patna, in connection with Barh P.S. Case No.260 of 2020, Special Case No.324 of 2020, subject to the following conditions:

- (i) That one of the bailors will be a close relative of the appellant who will give an affidavit giving genealogy as to how he is related with the appellant. The bailor will also



undertake to inform the court if there is any change in the address of the appellant.

(ii) That the appellant will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

In the result, the appeal is allowed and the impugned order dated 26.02.2021 is set aside.

(Madhuresh Prasad, J)

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