

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1596 of 2020**

Arising Out of PS. Case No.-903 Year-2019 Thana- AHYAPUR District- Muzaffarpur

=====

MUNNA RAI @ MUNNA KUMAR RAI S/o Lalbabu Ray Resident of
Village-Bara Jagarnnath, P.S-Ahiyapur, District-Muzaffarpur.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr.Vijay Kumar Singh
For the Respondent/s : Mr.Sadanand Paswan

=====

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

4 11-01-2021 Heard learned counsel for the parties.

This appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act has been preferred against the order dated 17.02.2020, passed by learned Additional Sessions Judge-cum-Special Judge (SC/ST Act), Muzaffarpur in Ahiyapur P.S. Case No. 903 of 2019/ GR No. 198 of 2019, whereby the appellant's prayer for regular bail has been rejected.

Appellant was apprehended in connection with Ahiyapur P.S. Case No. 901 of 2019 on the allegation that he had snatched a purse containing some cash from the informant's wife. According to the case of the prosecution, in the present case, on the subsequent date on 01.08.2019, the appellant's



friend and a co-accused in this case duped the informant's son when he had gone to school. Allegedly, in retaliation to apprehension of this appellant in connection with Ahiyapur P.S. Case No. 901 of 2019, the present offence has been committed.

It is being argued on behalf of the appellant that on the date of occurrence, the appellant was in custody. He has argued that the allegation, if any, is against the co-accused Vikash Kumar.

I have perused the FIR and the case diary. On perusal of the case diary, it transpires that co-accused Vikash Kumar had confessed his guilt and on the basis of his confessional statement the dagger used for killing the deceased was recovered. The materials do not suggest any role played by the appellant directly or indirectly in commission of the offence.

Considering the facts and circumstances, in my opinion, the appellant deserves grant of regular bail. Accordingly the impugned order dated 17.02.2020 is set aside. This appeal is allowed.

Let the appellant, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned Additional Sessions Judge-cum-Special Judge-IX-cum- Special



Judge (SC/ST Act), Muzaffarpur in Ahiyapur P.S. Case No. 903
of 2019/ GR No. 198 of 2019.

(Chakradhari Sharan Singh, J)

Rajesh/-

U		T	
---	--	---	--

