

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2995 of 2021

Arising Out of PS. Case No.-158 Year-2020 Thana- SARAI RANJAN District- Samastipur

BIRJU RAI @ VIRJU RAY Son of Suraj Ray Resident of Village- Meyari,
P.S.- Sarairanjan, District- Samastipur.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Lakshmindra Kumar Yadav, Adv.
For the Respondent/s : Mr. Binay Krishna, Spl.PP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 03-08-2021 Heard learned counsel for the parties through video conferencing.

The instant appeal has been preferred against the order dated 24.8.2021 passed by the learned Additional District and Sessions Judge-I-cum-Special Judge, SC/ST Act, Samastipur whereby the prayer for bail of the appellant in connection with Sarai Ranjan P.S. Case No.158 of 2020 registered under section 307 and other sections of the Indian Penal Code and section 3 of the SC and ST (Prevention of Atrocities) Act, was rejected.

As per allegations in the F.I.R., on the orders of this appellant, the other accused persons including Ram Babu Das and Shyam Babu Das assaulted the informant and others.

It is submitted by learned counsel for the appellant



that no overt act has been alleged against the appellant who has been falsely implicated in the case. He is in custody since 5.4.2021 and investigation in the case has concluded.

The appeal is opposed by learned Spl.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the allegations as levelled against the appellant in the F.I.R., together with the investigation in the case having concluded, the Court is inclined to allow the appeal. The appeal is allowed and the order dated 24.8.2021 passed by the learned Additional District and Sessions Judge-I-cum-Special Judge, SC and ST (Prevention of Atrocities) Act, Samastipur, is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Sarai Ranjan P.S. Case No.158 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-I-cum-Special Judge, SC and ST (Prevention of Atrocities) Act, Samastipur.

(Partha Sarthy, J)

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