

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2860 of 2021**

Arising Out of PS. Case No.-43 Year-2021 Thana- SC/ST District- Saran

RAKESH KUMAR RAM S/o Late Dev Lal Ram R/o Village- Molnapur, P.S.-
Bheldi, District- Saran

... .. Appellant

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr. Anjani Parashar, Advocate

For the State : Mr. Sadanand Paswan, Spl. PP.

For the Informant : Mr. Rabindra Kumar Priyadarshi, Advocate

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

2 31-08-2021 Let the defects be removed within four weeks of the
start of the physical Court.

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 by
order dated 15.06.2021 passed by the learned 1st Additional
Sessions Judge cum Special Judge SC/ST (POA) Act, Saran at
Chapra in connection with Saran SC/ST P.S. Case No. 43 of
2021 arising out of B. Bazar (Bhagwan Bazar) P.S. Case No. 43



of 2021 registered under Sections 147, 149, 341, 323, 324, 307, 302, 504 of the I.P.C., and Section 3(1)(r)(s) of the SC/ST Act.

Appellant is not named in the FIR. However, during investigation, the informant and other witnesses named the appellant as one of the perpetrator of the crime.

Learned counsel for the informant opposed the prayer for bail.

Since there is no reason for non-disclosure of the name of the appellant in the FIR and investigation of the case is already complete, let the appellant, above named, who is in custody since 26.05.2021 be released on bail, on furnishing bail bonds 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 the appeal is allowed.

(Birendra Kumar, J)

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