

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3277 of 2021

Arising Out of PS. Case No.-56 Year-2021 Thana- UDAKISHUNGANJ District- Madhepura

NATWAR CHAUDHARY @ NATWAR KUMAR CHAUDHARY S/o
Ghanshyam Chaudhary R/o village- Pipra Karauti, P.S.- Udakishunganj,
District- Madhepura

... .. Appellant

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr. Dr. Bidhu Ranjan, Advocate

For the Respondent/s : Mr. Binay Krishna, Spl. PP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 23-09-2021 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 29.06.2021 passed by the learned Additional
Sessions Judge-1 cum Special Judge, SC/ST Act, Madhepura in
connection with SC/ST Case No. 13 of 2021 arising out of
Udakishunganj P.S. Case No. 56 of 2021 registered under



Sections 302/34, 120(B) of the I.P.C., Section 27 of the Arms Act and Section 3(iv) of the SC/ST Act.

There is specific allegation against co-accused Ramesh Goswami to have fired and caused firearm injury to the husband of the informant as a result whereof he died. Appellant was driving the motorcycle at the time of occurrence on which Ramesh Goswami was a pillion rider. Appellant is in custody since 24.03.2021. Investigation of the case is already complete.

Considering the fact that there is no overt-act alleged against the appellant, let the appellant, above named, 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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