

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.659 of 2021**

Arising Out of PS. Case No.-276 Year-2020 Thana- KOILWAR District- Bhojpur

=====

BHUWAR RAY, S/O Ramanuj Rai, Resident of Vill - Naknamtola (Salik
Gram Singh Ke Tola) P.S. - Barhara, Dist. - Bhojpur.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr.Rajani Ranjan Pd. Singh, Advocate.
For the Respondent/s : Mrs. Usha Kumari, Spl. PP.

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 02-08-2021 Let the defects be removed within four weeks of the

start of the physical Court.

Heard the parties in virtual Court.

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 vide
order dated 23.09.2020 passed by the learned 1st Addl. Sessions
Judge, Bhojpur at Ara in SC/ST Case No. 174 of 2020 arising
out of Koilwar P.S. Case No. 276 of 2020 registered under
Section 302 of the Indian Penal Code, Section 27 of the Arms
Act and Section 2(v) of the Scheduled Castes and Scheduled
Tribes (Prevention of Atrocities) Act, 1989.

According to F.I.R., two groups of the villagers were
firing against each other. The firing made by the appellant hit to



the brother of the informant Mantu Rajak who died at the spot. The informant has already been examined during trial as PW-3, but he does not claim to have identified the assailants. Moreover, all the prosecution witnesses examined uptill now have turned hostile.

Considering the facts aforesaid, especially fate of the trial, 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.

mantreshwar/-

(Birendra Kumar, J)

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

