

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.917 of 2021**

Arising Out of PS. Case No.-527 Year-2018 Thana- SAKRA District- Muzaffarpur

VIKASH KUMAR RAI Son of Kamleshwar Ray @ Kameshwar Ray
Resident of Village - Chandpur, chiknauta (Sirajabad), P.S. Sakra, District -
Muzaffarpur.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Alok Kumar Alok, Adv.
For the Respondent/s : Mr. Binay Krishna, SPP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 05-04-2021 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer of bail vide order dated 25.09.2020 passed by learned 3rd Additional Sessions Judge-cum-Special Judge, SC/ST Act, Muzaffarpur in connection with Sakra P.S. Case No. 527 of 2018 registered under Sections 341, 342, 323, 147, 149, 379, 307, 120(B), 504/34 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3 (i) (r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the appellant is that he is said to



have fired upon the victim.

It is submitted by learned counsel for the appellant that appellant are innocent and has been falsely implicated in this case. He submits that there is specific allegation against the appellant. He further submits that appellant bear no criminal antecedent as stated in para-3 of this petition and he is languishing in judicial custody since 15.09.2020.

Learned Spl. PP for the State opposed the prayer for bail.

Considering the fact that appellant is the main assailant, I am not inclined to enlarge the appellant on bail. Accordingly, his payer for bail is rejected in connection with Sakra P.S. Case No. 527 of 2018 pending before the court of the learned 3rd Additional Sessions Judge-cum-Special Judge, S.C./S.T. Act, Muzaffarpur.

Accordingly, the appeal is dismissed. However, appellant may renew his prayer for bail after six months.

(Anjani Kumar Sharan, J)

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