

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1394 of 2021**

Arising Out of PS. Case No.-19 Year-2020 Thana- BITHAN BAZAR District- Samastipur

DEEPAK KUMAR @ RAVI S/O JAY PRAKASH GUPTA R/O VILLAGE-
BARIYARPUR, P.S-BALIYA, DISTRICT-BEGUSARAI.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Vinay Kumar Mishra, Adv.
For the Respondent/s : Mr. Sadanand Paswan, APP

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

2 05-03-2021 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 07.10.2020 passed by learned Additional Sessions Judge-cum-Special Judge, SC/ST Act, Samastipur in connection with Bithan P.S. Case No. 19 of 2020 registered under Section 27 of the Arms Act, Sections 120B and 302 of the Indian Penal Code and Sections 3 (2) (v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

As per the prosecution case, while the father of the informant was returning home on motorcycle along with the



informant, six miscreants intercepted him, asked his name and one of the miscreants shot him as a result of which he died on the way of hospital. It is further alleged that four named accused persons with whom informant's father has animosity have committed murder of his father.

It is submitted by learned counsel for the appellant that appellant is innocent, not named in the FIR, his name surfaced during the course of investigation on the basis of confessional statement of co-accused Ajay Mukhiya which has no evidentiary value. He submits that similarly situated co-accused has been granted bail by a Bench of this Court in Cr. APP No. 1091 of 2021 on 01.03.2021. He further submits that appellant is languishing in judicial custody since 12.06.2020.

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

In the facts and circumstances of the case, the above named appellant, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-cum- Special Judge, SC/ST Act, Samastipur in connection with Bithan P.S. Case No. 19 of 2020.



Accordingly, the impugned order is set aside and this
appeal is allowed.

(Anjani Kumar Sharan, J)

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