

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.965 of 2021**

Arising Out of PS. Case No.-262 Year-2020 Thana- PARSABAZAR District- Patna

PAPPU KUMAR @ RASGULLA S/O LATE YOGENDRA RAI RESIDENT
OF VILLAGE - SOTACHAK, POLICE STATION - PARSA BAZAR,
DISTRICT - PATNA

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Bimal Kumar, Advocate

For the Respondent/s : Smt. Usha Kumari No. 1, Sp. PP

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

3 07-04-2021 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 for bail vide order

dated 06.11.2020 passed by learned ADJ III cum Special

Judge (SC/ST), Patna in connection with Special Case No.

379 of 2020 arising out of Parsa Bazar P.S. Case No. 262 of

2020 for the offence registered under Sections 147, 148,

149 341, 323, 307 of the Indian Penal Code, Section 27 of

the Arms Act and Section 3(2) (v) of the Scheduled Castes



and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the petitioner is of firing upon the informant as a result of which he received one injury on his left thigh and another at the left side of his abdomen and he became unconscious.

It is submitted by learned counsel for the appellant that he is innocent and has been falsely implicated in this case. He submits that there is general and omnibus allegation levelled against the appellant. He submits that there is specific allegation upon co-accused Jitendra @Bakuni who sought fire upon the informant. He further submits that appellant is languishing in custody since 13.07.2020.

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

In the facts and circumstances of the case, the above named appellant is directed to be released 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 ADJ III cum Special Judge, SC/ST, Patna in connection with Special Case No. 379 of



2020.

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

(Anjani Kumar Sharan, J)

GAURAV S./-

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