

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3957 of 2021

Arising Out of PS. Case No.-147 Year-2017 Thana- BARH District- Patna

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Ravi Singh @ Ravi Ranjan Kumar, Son of Shatish Singh, Resident of Village
Bichali Malahi, P.S. Barh, District Patna.

... .. Appellant/s

Versus

1. The State of Bihar.
2. Jai Shankar Paswan Late Shukhdeo Paswan R/o Village Malahi Kali Asthan,
P.S. Barh, District Patna.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Tej Narayan Singh, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Special P.P.
For Res. No.2	:	Mr. Anil Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 18-02-2022 Heard learned counsel for the appellant, learned

Special P.P. for the State and learned counsel appearing on

behalf of respondent no.2 through virtual court proceedings.

This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 (hereinafter referred to as 'the SC/ST Act')
against the refusal of prayer of bail vide order dated 27.08.2021,
passed by learned A.D.J.-III-cum-Special Judge (SC/ST), Patna
in connection with Barh P.S. Case No.147 of 2017, registered
under Sections 147, 148, 149, 307, 326 and 427 of the Indian
Penal Code. Later on Section 302 of the Indian Penal Code, 27
of the Arms Act and Section 3(i)(r) of the SC/ST Act.

Learned counsel for the appellant submits that the FIR



would reveal that allegation of firing is against several named persons, including the appellant. However, it is not specific as to who had caused the single firearm injury to Sukhdeo Paswan, which resulted in his death. The case diary would reveal that before the police no one has specifically stated that who had caused the firearm injury to Sukhdeo Paswan. The appellant is in custody since 13.07.2021. It is further submitted that similarly situated other co-accused persons have already been enlarged on bail by different co-ordinate Benches of this Court vide Annexure-2 series.

Learned Special P.P. for the State as well as learned counsel appearing on behalf of respondent no.2 opposed the prayer for bail of the appellant and submitted that the appellant has got eight criminal antecedents.

Taking into consideration the facts aforesaid, let appellant, above named, 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 learned Special Judge, S.C./S.T. Act, Patna in connection with Barh P.S. Case No.147 of 2017, giving rise to Special Case No.415 of 2017, subject to the following conditions:

(1) That one of the bailors will be a close relative of



the appellant, who will give an affidavit giving genealogy as to how he is related with the appellant. He will also undertake to inform the court if there is any change in the address of the appellant.

(2) That the appellant will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates, his bail bonds shall be liable to be cancelled.

(3) That the appellant will mark his attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(4) That the bailors shall also state on affidavit that they will inform the court concerned, if the appellant is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(Anjani Kumar Sharan, J.)

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