

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2805 of 2017

Arising Out of PS.Case No. -188 Year- 2016 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

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Pankaj Kumar @ Pankaj Rai @ Pankaj Rai, Son of Mani Bhushan Rai, R/o
Village- Manpurwa, P.S.- Madhuban, District- East Champaran.

.... Appellant

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Virendra Kuar, Adv.

For the Respondent/s : Mr. Sri Sadanand Paswan, SPP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 19-12-2017 Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for bail by the learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST (POA) Act, East Champaran Motihari in connection with Madhuban P.S.Case No.188 of 2016 registered under Sections 341,323, 302/34 of the Indian Penal Code as well as under Sections 3(i)(x)(3)(2)(v) SC/ST (POA) Act.

The two eye witnesses of the occurrence stated before the police that the appellant alongwith co-accused, Santosh Kumar, were on a motorcycle and they dashed against the cycle of Sonu Kumar, the son of the informant, as a result whereof, Sonu



died during course of treatment. The informant alleges in the FIR that since the appellant and others had abused by taking caste name of the informant a day before the occurrence, they knowingly committed murder of the son of the informant. In the occurrence, the appellant also sustained injuries. The appellant is in custody since 29.08.2017.

Learned counsel for the informant and State opposed the prayer for bail.

Considering the aforesaid material, in my view, let the appellant, above named, be released on bail on furnishing bail bond 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 Madhuban Police Station Case No.188 of 2016, with condition that the appellant shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

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

(Birendra Kumar, J)

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