

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.471 of 2018

Arising Out of PS.Case No. -284 Year- 2016 Thana -GIRIYAK District- NALANDA
(BIHARSHARIFF)

=====

1. Dayanand Singh Son of Shivnandan Singh Resident of Village Ghosrawan, P.S.
Giriyak, District Nalanda.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Pankaj Kumar, Adv

For the Respondent/s : Smt.Usha Kumari No.-1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 20-04-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail by the learned 1st Additional Sessions Judge-cum Special Judge, Nalanda at Biharsharif, in connection with Giriyak Police Station Case No.284 of 2016 registered under Sections 302/34 of the Indian Penal Code and Section 3(iii)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

According to FIR, two unknown persons of Village-Lakhachak and Ghosrawan allegedly assaulted to the husband of the informant, as a result whereof, he died.



Submission of the learned counsel for the appellant is that during her re-statement before the police, the informant improved that both the assailants were of village Ghosrawan. However, there is no eye witness of the occurrence to identify the assailants. Further submission is that similarly situated co-accused-Shiv Balak Singh has already been allowed bail by a Coordinate Bench of this Court vide Annexure-3.

Considering the aforesaid fact, 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 the aforesaid case, 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, the appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
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