

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.444 of 2018

Arising Out of PS.Case No. -257 Year- 2017 Thana -ROSERA District- SAMASTIPUR

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1. Umesh Thakur S/o Late Baijnath Thakur, R/o Village- Laxmipur, Ward
No.-16, Rosera, P.S.- Rosera, District- Samastipur.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Dilip Kumar Roy, Advocate

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 15-03-2018 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, Samastipur, in connection with Rosera Police Station Case No.257 of 2017 registered under Sections 302/323/325/341/34 of the Indian Penal Code and Section 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The appellant and another assaulted to the son of the informant on 19.10.2017 as a result whereof he died on 22.10.2017.

The post mortem report reveals that injury was



found on the chest of the deceased and cardiac arrest was the reason of death. The appellant is in custody since 24.10.2017.

Considering the entire facts, let the appellant, above named, be released on bail **after completion of one year of custody** 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 impugned order is set aside and appeal is allowed.

(Birendra Kumar, J)

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