

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4316 of 2018

Arising Out of PS. Case No.-217 Year-2018 Thana- GAYA MUFASIL District- Gaya

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1. Awadhesh Kumar, Son of Kishori Sao @ Kishori Saw,
 2. Kishori Sao @ Kishori Saw, Both are resident of Village - Bara,
P.S. - Muffasil, District - Gaya.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shivendra Prasad
For the Respondent/s : Smt. Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 11-12-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail vide order dated 20.09.2018 in Muffasil P.S. Case No. 217 of 2018 passed by the learned Exclusive Special Judge S.C./S.T. (POA) Act, Gaya in connection with the aforesaid case registered under Sections 302, 201, 120B/34 of the Indian Penal Code as well as Sections 3(2)(v)(a), 3(2)(v)(b), 3(2)(va) of the SC/ST Act.

The FIR was lodged on suspicion after recovery of dead body of the son of the informant whose murder was committed after cutting the throat. Love affairs of the



deceased with two girls of the village was reason for the occurrence alleged.

Submission is that only material is suspicion. Appellants are in custody since 08.07.2018. Investigation of the case is already complete.

Considering the aforesaid facts, let the appellants, above named, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with the aforesaid case, subject to the condition that the appellants 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 appellants as well as condition that both the bailors shall be resident of the territorial jurisdiction of the learned court below.

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

(Birendra Kumar, J)

Kundan/Rajan

AFR/NAFR	N.A.
CAV DATE	N.A.
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