

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.595 of 2018

Arising Out of PS.Case No. -439 Year- 2016 Thana -BHAGALPUR KOTWALI District- BHAGALPUR

- =====
1. Chhabil Thakur, Son of Nand Keshwar Thakur,
 2. Laxmi Devi, Wife of Chabil Thakur, Both resident of Mohalla- Mayaganj, Kali Ghat, Police Station- Barari, District- Bhagalpur.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 27-04-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail by the learned 4th Additional Sessions Judge-cum-Special Judge (SC/ST) Act, Bhagalpur in Kotwali (Barari) P.S. Case No. 439 of 2016 registered under Sections 147, 148, 149, 302, 201, 120B of the Indian Penal Code as well as Sections 3(i)(x), 3(ii)(v) of the SC/ST Act.

There is no eye witness of the occurrence of murder of the son of the informant and considering the allegation of suspicion, some other co-accused have already been allowed bail by a Coordinate Bench of this Court vide order dated 24.04.2017 passed in



Cr. Appeal (SJ) No. 395 of 2017 (Annexure 2). The appellants are in custody since 09.08.2017. Investigation of the case is already concluded.

Hence, 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 the 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 and trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the appellants.

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

(Birendra Kumar, J)

Kundan/Sanjeev

AFR/NAFR	NA
CAV DATE	NA
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