

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Appeal (SJ) No.1164 of 2018**

Arising Out of PS.Case No. -278 Year- 2015 Thana -SITAMARHI District- SITAMARHI

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1. Nitesh Singh @ Nitesh Kumar Singh, Son of Shyam Babu Singh, Resident of Village- Tariyani Chapra, P.S. Tariyani, District- Sheohar.

.... .... Appellant/s

Versus

1. The State of Bihar.

.... .... Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Pushpendra Kumar Singh, Adv

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

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**

**ORAL JUDGMENT**

**Date: 02-07-2018**

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 order dated 07.03.2018 by the learned Special Judge (S.C./S.T. Act), Sitamarhi, in connection with Sitamarhi Police Station Case No.278 of 2015 registered under Sections 302,120(B)/34 of the Indian Penal Code, Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Section 27 of Arms Act.

Three unknown persons fired at the deceased causing instant death. A written chit was left by the deceased containing name of the persons who had threatened him to kill.



Those persons are named in the FIR. Appellant is not named in the FIR.

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 both bailors shall be resident of territorial jurisdiction of the learned court below and further 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/-

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| AFR/NAFR          | NAFR       |
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