

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

**Criminal Appeal (SJ) No.1490 of 2018**

Arising Out of PS.Case No. -127 Year- 2016 Thana -HASANPUR District- SAMASTIPUR

- =====
1. Kari Rai, S/o Late Arun Rai,
  2. Baua Rai S/o Ram Narayan Ray, Both Residents of Vill.- Sakarpura, P.S.- Hasanpur, District- Samastipur.

.... .... Appellant/s

Versus

1. The State of Bihar

.... .... Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Abhimanyu Sharma, Advocate  
For the State : Mr. Binay Krishna, SPP

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

**ORAL JUDGMENT**

**Date: 25-06-2018**

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 “ S.C/S.T Act”) against the refusal of prayer for regular bail by the learned Special Judge, S.C./S.T. Act, Samastipur in Hasanpur P.S. Case No.127/16A, T.R. No.557 of 2016 registered under Section 302/34 of the Indian Penal Code as well as under Sections 3(1), (x) of the S.C./S.T. Act.

For old criminal cases going on between the parties, the appellants and co-accused Lalo Rai are suspected to have hung the son of the informant with a tree where dead body was found in hanging condition.



Submission is that only material against the appellants was suspicion and witness Mushahru Paswan, had not supported the allegation, and the co-ordinate bench of this Court had granted bail to Lalo Rai vide Annexure-2.

Considering the aforesaid submission, let the appellants, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, S.C./S.T. Act, Samastipur in Hasanpur P.S. Case No.127/16A, T.R. No.557 of 2016.

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

**(Birendra Kumar, J)**

AnilKrSinha/-

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