

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3393 of 2017

Arising Out of PS.Case No. -75 Year- 2014 Thana -PIRPAINTI District- BHAGALPUR

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Churka Soren S/o Late Bhaddo Soren, R/o Village- Mirza Chowk, P.S.-
Shahebganj, District- Shahebganj (Jharkhand) at present R/o Village-
Kirtania, P.S.- Pirpainty, District- Bhagalpur.

.... Appellant

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Praveen Kumar, Adv.

For the Respondent/s : Mr. Smt Usha Kumari No-1, SPP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 29-01-2018 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 2nd Additional District & Sessions Judge-cum-Special Judge Bhagalpur, in connection with Pirpainty Police Station Case No.75 of 2014 (G.R.No.1210 of 2014) registered under Sections 302/34 of the Indian Penal Code and Section 3(1) (x) and 2(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The victim of murder was husband of the informant, he left house alongwith co-accused Rajesh Gupta and subsequently dead body was recovered. The informant came to know that the



appellant was also alongwith Rajesh Gupta. Rajesh Gupta has already been allowed bail by a Coordinate Bench of this Court vide Annexure-2.

Considering the fact that only material against the appellant is suspicion, 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 Pirpainty Police Station Case No.75 of 2014 (G.R.No.1210 of 2014), 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 appeal stands allowed and the impugned order is set aside.

(Birendra Kumar, J)

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