

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.608 of 2018

Arising Out of PS.Case No. -375 Year- 2017 Thana -FATEHPUR District- GAYA

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Atal Paswan @ Suchit Paswan son of Devnanadan Paswan, Resident of
Village Raghunathpur, P.S. Fathepur, Distt. Gaya (Bihar)

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bachan Jee Ojha

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 28-02-2018

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 Special Judge (S.C./S.T.), Gaya in Fatehpur P.S. Case No. 375 of 2017 registered under Sections 302/34 of the Indian Penal Code as well as Sections 27 of the Arms Act and Section 3(II)(V) of the SC/ST Act.

Thirteen persons are named in the FIR including the appellant with allegation that they dragged to the husband of the informant and subsequently committed murder.

Submission of the learned counsel for the appellant is that the informant is neither an eye witness of the occurrence of dragging away nor the commission of murder. The appellant is a female and she is in custody since 27.10.2017.

Learned Special Public Prosecutor has opposed the prayer for bail.



Considering substance in the aforesaid submission, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees 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, subject to the conditions that the appellant shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

Accordingly, this appeal stands allowed.

(Birendra Kumar, J)

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