

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1343 of 2018

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

- =====
1. Bala Paswan @ Bale Paswan
 2. Nicky Paswan Both Son of Brahmdeo
 3. Ramun Paswan Son of Bira Paswan All Resident of Village-Raghunathpur,
P.S.-Fathepur District-Gaya (Bihar).

.... 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: 29-05-2018

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") 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, Section 27 of the Arms Act as well as Section 3(2)(v) of the SC/ST Act.

Thirteen persons are named in the F.I.R. including the appellants with allegation that they dragged to the husband of the informant and subsequently committed murder.

Submission of the learned counsel for the appellants is



that the informant is neither an eyewitness of the occurrence of dragging away nor the commission of murder. The appellants are in custody since 23.02.2018.

Learned Special Public Prosecutor has opposed the prayer for the bail.

Considering substance in 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 the learned court below where the case is pending in connection with the aforesaid case, subject to the conditions 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 bond of the appellants.

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

(Birendra Kumar, J)

Kundan/Sanjeev

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	30.05.2018
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