

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3290 of 2018

Arising Out of PS.Case No. -204 Year- 2016 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

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1. Ravi Chaurasiya, S/o Shivbachan Chaurasiya, resident of village- Chailabhar,
P.S.- Majhauria, Dist.- West Champaran. Appellant/s

Versus

1. The State of Bihar. Respondent/s

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Appearance :

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

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 13-09-2018

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 22.07.2018 in B.A. No.2075 of 2018 passed by the learned 1st Addl. District and Sessions Judge-cum-Special Judge, Bettiah, West Champaran in connection with Bettiah Muffasil Police Station Case No.204 of 2016 registered under Sections 302,201 of the Indian Penal Code and Section 3(ii)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The son of the informant had gone alongwith the appellant on 11.05.2016, however, he did not return. Thereafter, search was going on. Dead body of the son of the informant was recovered on 13.05.2016. Hence, suspicion is there against the appellant to have committed the murder.



Submission of the learned counsel for the appellant is that there is no eye witness of the occurrence. The impugned order has been passed after perusal of the case diary. Even the impugned order does not show that any other material was there against the appellant.

Considering the fact that for the purpose of consideration of prayer for bail, only weak circumstance of last seen is there, hence, 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 impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
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