

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.25 of 2018**

Arising Out of PS.Case No. -387 Year- 2017 Thana -MUFFASIL District-  
WESTCHAMPARAN(BETTIAH)

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1. Bachcha Pandey Son of Late Keshwar Pandey Resident of village-  
Gurwaliya Pandey Tola, Police Station- Bettiah Muffasil (Manuapul  
O.P.), District- West Champaran

.... .... Appellant/s

Versus

1. The State of Bihar

.... .... Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Brij Kishor Mishra, Advocate

For the Respondent/s : Mr. Sadanand Paswan, SPP

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

4      23-02-2018

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 against the refusal of prayer for bail by the learned Additional Sessions Judge 1<sup>st</sup> -cum-Special Judge (S.C./S.T. Act), Bettiah, West Champaran, in connection with Bettiah (Muffasil) Manuapul Police Station Case No.387 of 2017 registered under Sections 302/201/120B of the Indian Penal Code and Section 3(II)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The appellant is under suspicion to have committed murder of the brother of the informant for the reason



that there was land dispute between the parties and the appellant had left the house soon after the victim and co-accused Niyaj Mian left the house by motorcycle.

Submission is that the case-diary does not disclose further material against the appellant.

Considering the aforesaid fact, 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 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 appeal is allowed.

**(Birendra Kumar, J)**

Mkr./-

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