

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4024 of 2018

Arising Out of PS. Case No.-25 Year-2014 Thana- BISHWAMBHARPUR District-
Gopalganj

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Golu Tiwari, S/o Ajay Tiwari, R/o Vill- Tiwari Matihenia, P.S.-
Bishambharpur, Dist- Gopalganj.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Jitendra Kumar Singh, Adv
For the Respondent/s : Mr. Sri Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 06-12-2018

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 26.09.2018 in Bishambharpur P.S. Case No.25 of 2014 passed by the learned 1st Additional Sessions Judge, Gopalganj, registered under Sections 302/34 of the Indian Penal Code and Section 3(2-V) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The FIR would reveal that the son of the informant had harassed to the daughter of co-accused-Pappu Tiwari in the school. For that reason, Pappu Tiwari had assaulted him in the school itself. Due to that grudge, Pappu Tiwari and others including the appellant came to the house of



the informant and bitterly assaulted to his son, as a result whereof, he died.

Submission is that the postmortem report would reveal that the victim died of hanging and there is no external injury. Entire concocted allegation is due to grudge for the aforesaid reason. Appellant is in custody since 30.08.2018.

Considering the facts aforesaid, 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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