

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1057 of 2018

Arising Out of PS.Case No. -72 Year- 2017 Thana -TANDWA District- AURANGABAD

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1. Arvind Singh @ Arvind Kumar Singh @ Arbind Singh @ Arbind Kumar Singh
S/o Late Dwarika Singh, R/o Village- Sudhna, P.S.- Tandwa, District-
Aurangabad.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bhaskar Shankar, Advocate

For the Respondent/s : Smt. Usha Kumari No.I, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 11-05-2018

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
against the refusal of prayer for bail by the learned 1st Additional
Sessions Judge-cum-Special Judge (S.C./S.T. Act), Aurangabad, in
connection with Tandwa Police Station Case No.72 of 2017 registered
under Sections 302/201/34 of the Indian Penal Code and Section
3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989.

The father of the informant has gone along with five
persons named in the FIR including the appellant. Thereafter, his
dead body was found in a well. There is no eyewitness of the



occurrence. The post mortem report would reveal that the doctor on external examination found protruded tongue, blood coming from both ears and finally opined that the death was due to burn injury on the body and cardiac arrest.

Submission is that very weak circumstantial evidence is there against the appellant and other named persons. Appellant has got no criminal antecedent. He is in custody since 31.01.2018. Investigation of the case is already complete.

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./Sanjeev

AFR/NAFR	
CAV DATE	NA
Uploading Date	
Transmission Date	

