

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3695 of 2018

Arising Out of PS.Case No. -105 Year- 2018 Thana -PATAHI District- EASTCHAMPARAN
(MOTIHARI)

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1. Guddu Kumar Sah, Son of Lalan Sah, Resident of Village- Pachpakri, Police
Station- Dhaka (Pachpakri), District- East Champaran.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Dilip Kumar Tondon, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 25-10-2018

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 29.08.2018 in Patahi P.S.Case No.105 of 2018
passed by the learned 1st Additional Sessions Judge-cum-
Special Judge (S.C./S.T. Act), East Champaran, Motihari,
registered under Sections 302,201,392,120B of the Indian Penal
Code and Section 3(2)(va) of the Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The FIR of the occurrence of murder is against
unknown.

Submission is that some other person were



apprehended by the police on suspicion of their presence at the place of occurrence on the basis of their mobile location. The C.D.R. of their mobile reveals that they were in talking term with the appellant also. Hence, the appellant is an accused.

Considering the fact that there is no substantial material against the appellant, 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
CAV DATE	NA
Uploading Date	26.10.2018
Transmission Date	26.10.2018

