

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2880 of 2018

Arising Out of PS.Case No. -343 Year- 2017 Thana -JAMUI District- JAMUI

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1. Dilip Paswan son of Rajendra Paswan Resident of Village - Daulatpur, P.S. + District - Jamui.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Prakash Mahto, Adv

For the Respondent/s : Smt. Usha Kumari No.1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 04-09-2018

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 18.07.2018 in SC/ST No.343 of 2017/31 of 2018 passed by the learned A.D.J.-1st, Jamui, in connection with Jamui Police Station Case No.343 of 2017 registered under Sections 302,34,120B of the Indian Penal Code, Section 27 of the Arms Act and Section 3(1)(v)/3(ii) 5(a) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

According to FIR, two other co-accused, namely, Sippu Singh and Asharfi Yadav exhorted Raju Yadav to commit



murder of Vinay Paswan and co-accused, Potan Yadav handed over his pistol to Raju Yadav for the purpose, as a result, murder was committed by Raju Yadav.

Considering the aforesaid facts, 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
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