

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3789 of 2018

Arising Out of PS. Case No.-120 Year-2017 Thana- BIKRAMGANJ District- Rohtas

Hareram Singh, Son of Late Rajkeshwar Singh, Resident of Village- Kolha,
P.S.- Bikramganj, District- Rohtas.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Arun Kumar Singh

For the Respondent/s : Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 27-11-2018

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 (hereinafter referred to as the "SC/ST Act") against the refusal of prayer for regular bail vide order dated 14.08.2018 in Registered Case No. 479 of 2017 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Rohtas at Sasaram in connection with Bikramganj P.S. Case No. 120 of 2017 registered under Sections 302, 201/34 of the Indian Penal Code as well as Section 3(i)(r)(s) of the SC/ST Act.

Murder of Raj Keshari Devi was committed by some unknown person. There is suspicion against the appellant



that he has committed the murder for two reasons. First that Rs.50,000/- of labour cost of the deceased was due with the appellant and second that on the pretext of search of the victim, the appellant had taken the family member of the deceased to the place where dead body was found.

Submission of learned counsel for the appellant is that appellant is in custody since 18.07.2018. Investigation of the case is already complete.

The case diary would reveal that there is no eyewitness of the occurrence nor any witness has supported that any labour charges was due with the appellant. Only material is suspicion. The appellant has got no criminal antecedent.

Learned Special Public Prosecutor opposed the prayer for bail on the ground that the aforesaid circumstance is strong evidence against the appellant.

Considering the entire facts aforesaid, especially, the fact that for consideration of prayer for bail, the circumstantial evidence brought on the record is weak one, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two



sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with the aforesaid case, subject to the 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 as well as condition that both the bailors shall be resident of the territorial jurisdiction of the learned court below.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Kundan/Rajan

AFR/NAFR	N.A.
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