

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3508 of 2018

Arising Out of PS.Case No. -83 Year- 2018 Thana -HARNAUT District- NALANDA
(BIHARSHARIFF)

=====

1. Kapil Prasad, Son of Ramsharan Mahto, Resident of Village- Toofanganj, P.S.-
Rahui, District- Nalanda.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Abhinay Raj, Adv

For the Respondent/s : Mr. Sadanand Paswan, SPP

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 01-10-2018

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 23.08.2018 in Harnaut P.S.Case No.83 of 2018 passed by the learned 1st Additional Sessions Judge, Nalanda at Biharsharif, registered under Sections 302,201 and 34 of the Indian Penal Code and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The appellant is under suspicion to have committed murder of the husband of the informant for some dispute relating to transfer of land. The impugned order reveals that only suspicion is there against the appellant. Appellant is



in custody since 23.05.2018. Investigation of the case is complete.

Hence, 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	03.10.2018
Transmission Date	03.10.2018

