

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.691 of 2019

Arising Out of PS. Case No.-456 Year-2018 Thana- NAWADA District- Nawada

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SAURABH SUMAN @ DR. SAURABH SUMAN aged about 48 years
Gender-Female W/o Rajendra Prasad village-Budhaul (Sewa Nagar), P.S-
Nagar, P.S-Nawada, District Nawada.

... .. Appellant/s

Versus

The State Of Bihar Through The Special P.P., S.C. And S.T (prevention Of
Atrocities)Act Bihar.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Gopal Bohra
For the Respondent/s : Mr.Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 28-03-2019 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 **27.09.2018** passed by learned **Additional Sessions
Judge-I cum Special Judge, Nawada**, in connection with **Spl.
(H) Case No. 122 of 2018 arising out of Nawada P.S. Case
No. 456 of 2018** registered under Sections 363, 365, 364, 302,
201,120B/34 of the IPC and Section 3(2)(v) of SC/ST
(Prevention of Atrocities) Act.

Informant in his written complaint has alleged that her



father had gone with accused Chotu Gupta to settle the dispute in Panchayati, however, thereafter he did not return and it has been alleged by the Informant that Chotu Gupta has abducted his father. He has also suspected that there was some dispute with neighbour-Kiran Devi with respect to construction of house and she may also be instrumental in abduction of his father.

It has been submitted on behalf of the Appellant that Appellant is not named in the FIR. During investigation the FIR named accused Chotu Gupta was arrested and it is alleged that in his confession he named Appellant to have given some amount to kill the father of Informant. Except said confession there is no any other incriminating material against the Appellant to connect with the killing of father of Informant. Appellant is a lady, she has got no criminal antecedent and is recipient of President Medal for exemplary work of Social Empowerment of Women. She is in custody since 16.07.2018.

Learned counsel for the Informant vehemently opposes the prayer for bail.

Considering the aforesaid facts and circumstances of the case, let the appellant named above be released on bail upon furnishing bail bond of Rs. 20,000/- 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,with
following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

(3) If the Appellant tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the Appellant.

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

(S. Kumar, J)

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