

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.534 of 2019

Arising Out of PS. Case No.-18 Year-2018 Thana- IMAMGANJ District- Gaya

SATENDRA KUMAR @ SATENDRA DAS, aged about 22 years, Male, Son of Mauli Das @ Ram Briksh Das Resident of Village-Chhotki, Bagahi, P.S.- Imamganj, District- Gaya.

... .. Appellant/s

Versus

1. The State of Bihar AND ANR Bihar
2. Sanoj Kumar, Son of Late Chandradeo Das Resident of Village-Chhotki Bagahi, P.S.- Imamganj, District Gaya

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ashok Kumar, Adv.
For the Respondent/s : Mr.Binay Krishna (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 18-02-2019 This is an appeal under Section 14(A) (2) of SC & ST (Prevention of Atrocities) Act, against the refusal of prayer for bail by order dated 15.12.2018 passed by learned Exclusive special Jdudge, (SC/ST) Gaya, in connection with Imamganj P.S. Case No. 18 of 2018, registered under Sections 364, 302, 120(B), 201/34 of the Indian Penal Code and Section 3 (2) (v) of SC /ST Act.

The allegation in brief is that the dead bodies of informant's brother and his wife were found from nearby forest area and suspicion is raised against all the accused persons including appellant of killing both of them because earlier they had levelled accusation of practicing witch craft against them.



It has been submitted on behalf of the appellant that he is innocent and has been implicated in this case due to suspicion. Similarly placed co-accused has been granted bail as contained in Annexures- 2 & 2/1. He has no criminal antecedent and is in custody since 29.10.2018.

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/- (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, 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 Court and their absence on two consecutive dates without sufficient reasons, his 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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