

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1084 of 2019

Arising Out of PS. Case No.-676 Year-2018 Thana- SHERGHATI District- Gaya

SADANAND @ ANAND KUMAR @ ANAND RAM Son of Late Mahim
Singh, Resident of Village-Bija, P.S-Dobhi, District-Gaya.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Arvind Kumar Singh
For the Respondent/s : Mr.Sadanand Paswan

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

6 12-07-2019 Heard learned counsel for the appellant and learned
Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the SC/ST
Act against the refusal of prayer for bail vide order dated
13.02.2019 passed by learned Exclusive Special Judge, SC/ST,
Gaya in Sherghati (Dobhi) P.S. Case No. 676 of 2018 registered
under Section 302/34 of the Indian Penal Code, Section 27 of
the Arms Act and Sections 3(2)(v) of the SC/ST Act.

Three accused persons are said to have taken the
mother of the informant on the pretext of sorcery of a mad
person. His mother also took the appellant Sadanand with her as
he used to help her mother in sorcery and subsequently on the
following day blood drenched dead body of the deceased was



found on the Kusha Nahar Road.

It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. He has been falsely implicated in the case merely on suspicion. Informant and daughter-in-law of the deceased have unanimously stated that the appellant used to render help the deceased in the work of sorcery and deceased always used to take him with her. On the very date of occurrence, she has also taken him with her on the call by the three unknown miscreants. Two accused persons had taken away the appellant while one of them had kept the deceased with him and subsequently deceased was gunned down by the said accused. Aforesaid fact also stands corroborated by re-statement of the informant itself in Para-28 of the case diary. There is nothing in the record indicating the complicity of the appellant in the occurrence. Appellant has no criminal antecedent and has been languishing in custody since 22.12.2018.

Learned Spl. PP for the State opposed the prayer for bail.

In the facts and circumstances of the case, the above named appellant is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two



sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, SC/ST, Gaya in connection with Sherghati (Dobhi) P.S. Case No. 676 of 2018.

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

(Prakash Chandra Jaiswal, J)

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