

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4754 of 2018

Arising Out of PS. Case No.-45 Year-2018 Thana- BIND District- Nalanda

=====

Bablu Kumar Son of Gajendra Rajak @ Rajendra Rajak Resident of Sakunat
Kala P.S. Bihar, Distt.-Nalanda

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr.Mukesh Kumar
For the Respondent/s : Mr.Binay Krishna

=====

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 13-02-2019 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 17.09.2018 passed by learned **1st Additional Sessions Judge, Nalanda at Biharsharif**, in connection with **Bind P.S. Case No. 45 of 2018** registered under Sections 302, 201 and 120 (B) of the IPC and Section 3 (2) (v) of SC/ST (Prevention of Atrocities) Act.

Informant in his written complaint has alleged that on 16.05.2018 at about 11 am his wife Madhuri Devi aged about 37 years told him that she was going to Nepura , however, she did not return till evening and thereafter her dead body was found on 17.05.2018 in the morning. FIR has been instituted against



unknown persons.

It has been submitted on behalf of appellant that he has been implicated in this case on suspicion and his own confession. As per the post mortem report her death has been caused by sharp cutting and hard and blunt object. Appellant has got no criminal antecedent and is in custody since 23.05.2018.

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/- 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 absence on two consecutive dates without sufficient reason, 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)

ranjan/-

U			
---	--	--	--

