

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1809 of 2019**

Arising Out of PS. Case No.-39 Year-2019 Thana- AMARPUR District- Banka

Govind Das Son Of Late Ganesh Das P.S.- Fullidumar, District- Banka.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Brij Nandad Prasad

For the Respondent/s : Mr. Usha Kumari 1

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

ORAL ORDER

3 21-06-2019 Heard learned counsel for the appellant and learned
Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act against the refusal of prayer for bail vide order dated 28.02.2019 passed by learned 1st Addl. Sessions Judge-, Banka in Amarpur (Fullidumar) P.S. Case No. 39 of 2019 registered under Sections 302/34 of the Indian Penal Code and Section 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Husband of the informant is said to have taken by the appellant and other accused persons including Saryug Yadav and later on the dead body of her husband was found little ahead of her house. The informant suspects complicity of the



appellant and other accused persons in the occurrence of commission of murder of her husband over row of payment of due wages of her husband.

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 this case due to dirty village politics. There is no eye witness of the occurrence. Allegation levelled against the appellant is not specific rather general and omnibus in nature. Appellant has no criminal antecedent and has been languishing in custody since 07.02.2019. Charge-sheet in the case has already been submitted. Similarly situated co-accused, namely, Saryug Yadav has been enlarged on bail by a co-ordinate Bench of this Court vide order dated 04.06.2019 passed in Cr. Appeal (SJ) No. 1569 of 2019.

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 1st Addl. Sessions Judge-, Banka in connection with Amarpur (Fullidumar) P.S. Case No. 39 of 2019.



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

(Prakash Chandra Jaiswal, J)

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