

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2861 of 2019**

Arising Out of PS. Case No.-23 Year-2019 Thana- SUPAUL District- Supaul

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Nunu Sah @ Jay Narayan Sah Son of Late Ram Kishun Sah Resident of Terhi
Kamaljari, P.S. Gamharia, District- Madhepura.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

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Appearance :

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

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

ORAL ORDER

4 06-09-2019 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 22.05.2019 passed by learned 1st Addl. Sessions Judge,
Supaul in Supaul (Laukaha O.P.) P.S. Case No. 23 of 2019
registered under Sections 302/34 of the Indian Penal Code,
Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act and Section 27 of the Arms Act.

On refusal to accord onion to the appellant and co-
accused persons by husband of the informant, co-accused Domi Sah
@ Sheo Shankar Sah resorted firing upon the chest of her husband.
Then they left the scene slating him in the name of his caste.



Her husband was rushed to the hospital where he was declared brought dead.

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 land dispute and there is no allegation of resorting firing against the appellant. He does not happen to be assailant of the deceased. Appellant has no criminal antecedent and has been languishing in custody since 30.1.2019.

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, Supaul in connection with Supaul (Laukaha O.P.) P.S. Case No. 23 of 2019.

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

(Prakash Chandra Jaiswal, J)

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