

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3978 of 2018

Arising Out of PS. Case No.-82 Year-2018 Thana- DIGHA District- Patna

Govind Kumar Poddar, Son of Devkaran Das Poddar, Aged about 57 Years,
Resident of Road NO. 6, Anandpuri, Boring Canal Road, P.S. S.K. Puri, Dist.-
Patna.

... .. Appellant

Versus

The State Of Bihar

... .. Respondent

Appearance :

For the Appellant/s	:	Mr.Rama Kant Sharma, Sr. Advocate with M/S Nikhil Kumar Agrawal, Aditi Hansaria, Deepika Sharma, Advocates
For the Respondent/s	:	Mr.Sadanand Paswan, Special P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 22-01-2019

This appeal is for grant of pre-arrest bail to the appellant against the order dated 28.9.2018 passed by Additional District Judge-IV-cum-Special Judge, SC/ST Act, Patna in ABP No. 7027 of 2018 by which learned Special Judge has rejected prayer for pre-arrest bail of the appellant, who has been made accused in Special Case No. 74 of 2018, arising out of Digha P.S.Case No. 82 of 2018 registered under Sections 302, 120B, 34 of the Indian Penal Code and Section 3(ii)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation as per FIR is that dead body of younger brother of the informant was found in a gunny bag inside the Narayani Chemical factory and appellant happens to be owner of the said factory.

Submission of learned counsel for the appellant is that only on suspicion he has been made accused and police after investigation has also not



found the role of the appellant in the crime, which will appear from paragraph-67 of the case diary.

Heard learned Special P.P.

Having heard both sides and in the facts and circumstances, let the appellant, named above, be released on bail, in the event of arrest or surrender, on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Special Judge, SC/ST Act, Patna, in connection with Special Case No. 74 of 2018, arising out of Digha P.S.Case No. 82 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C. and one of the bailors of the appellant shall be a local person, having sufficient immoveable properties within the jurisdiction of court concerned.

Accordingly, the appeal is allowed and the impugned order dated 28.9.2018 is set aside.

(Vinod Kumar Sinha, J)

spal/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

