

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3311 of 2019

Arising Out of PS. Case No.-25 Year-2018 Thana- KHAIRA District- Jamui

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SUNIL KUMAR THAKUR @ SUNIL THAKUR Son of Late Bhushi Thakur
Resident of Village - Gopalpur, P.S.- Khaira, District - Jamui

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Amrendra Kumar

For the Respondent/s : Mr.Sadanand Paswan

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 28-11-2019 Heard learned counsel for the Appellants and learned
counsel for the State.

This is an appeal under Section 14(A) (2) of the SC/ST Act against the refusal of prayer for anticipatory bail vide order dated 27.05.2019 passed by Additional District Judge - 1st Jamui in connection with Khaira P.S. Case No. 25 of 2018 for the offence registered under Sections 270, 304 and 34 of the Indian Penal Code and Section 3(i) (X) of the SC/ST Act.

Learned counsel for the Appellants submits that the present allegation against the petitioner is wholly misconceived and there is no connection of the appellant in the acts so alleged



by the informant. It is further submitted that neither the petitioner is the doctor nor the compounder or has he any connection with the hospital activities and the name of the appellant has been brought in during the course of the investigation by vindictive persons though he has no role to play. It is further submitted that he has also not been part of any abusive language which may have been used by either the doctor or any of his team mates. It is further submitted that co-accused, namely, Darogi Yadav & Urmila Devi, who have been named in the first information report, have since been extended the privilege of bail vide order dated 28.03.2019 passed in Cr. Misc. No. 310 of 2019.

Considering the aforesaid facts and circumstances of the case and the involvement of the appellant being remote and indistinct, let the appellants, above named, in the event of his arrest/surrender before the learned court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional District Judge - 1st Jamui in connection with Khaira P.S. Case No. 25 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



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

(Anjana Mishra, J)

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