

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3991 of 2018

Arising Out of PS. Case No.-303 Year-2013 Thana- BODHGAYA District- Gaya

=====

Amar Singh S/o Mahavir Singh Resident of Village-Katorwa,P.S. Bodh
Gaya,Distt.-Gaya

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr.Vinod Kumar

For the Respondent/s : Mr. Sadanand Paswan

=====

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

5 03-01-2019 Heard learned counsel for the parties.

This is an appeal under Section14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail by order dated 27.08.2018 passed by the learned Special Judge (S.C./S.T. Act), Gaya in connection with Bodhgaya P.S. Case No.303/13 registered under Sections 302/34 of the Indian Penal Code and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The son of the informant was friend of the maternal nephew of the appellant and used to visit the restaurant operated by the appellant. Son of the informant received injuries due to blast of drum containing LPG gas near the restaurant and subsequently he died. The informant suspected the hands of



the appellant in the commission of the crime.

It has been submitted on behalf of the appellant that he is innocent and has been implicated in this case merely on the basis of suspicion. It has been submitted that police has submitted final report finding the allegation levelled against the accused false. Appellant has no criminal antecedent and he is in custody since 16.08.2018.

Learned counsel for the informant has vehemently opposed the prayer for bail of the appellant.

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)

Sanjay/-

U		T	
---	--	---	--

