

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.74 of 2020

Arising Out of PS. Case No.-55 Year-2019 Thana- SALAIYA District- Aurangabad

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1. AWDHESH CHOURASIA Son of Late Babu Lal Chourasia Resident of Village - Chaudhary Bigha, P.S.- Salaiya, District- Aurangabad
 2. Madho Chourasia Son of Awdhesh Chourasia Resident of Village - Chaudhary Bigha, P.S.- Salaiya, District- Aurangabad

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shailesh Kumar Singh

For the Respondent/s : Mr. Usha Kumari I

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 20-03-2020 Appellants seek bail in connection with Salaiya P.S. Case No. 55 of 2019 registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Sections 3(1)(r)(s), 3(2)(v) and 3(2)(V2) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

As per FIR, prosecution case is that informant on information of assault to his nephew went there and saw his dead body and it is alleged that accused persons, including the appellants assaulted him.

Submission of learned counsel for the appellants is that there is no direct evidence against the appellants and material collected during investigation disclosed that nephew of



the informant had entered inside the house of appellant No.2 and later on his dead body was found and there is no direct allegation of assault against the appellants and they are in custody for three months, charge sheet has been submitted and one co-accused Deepak Chaurasiya has been granted bail by a co-ordinate Bench of this Court by judgment dated 6.2.2020 passed in Cr.Appeal(SJ) No. 5707 of 2019.

Heard learned Special P.P.

In the above facts and circumstances, this appeal is allowed and the impugned order dated 17.12.2019 is set aside.

Let appellants, named above, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-I-cum-Special Judge, SC/ST Act, Aurangabad, in connection with Salaiya P.S. Case No. 55 of 2019, G.R. No. 172 of 2019.

(Vinod Kumar Sinha, J)

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