

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.724 of 2020

Arising Out of PS. Case No.-23 Year-2018 Thana- SC/ST District- Nawada

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1. FUKI SINGH Son of Chhote Lal Singh Resident of Village - Kaithir, P.S.- Hisua, District - Nawada.
 2. Dinesh Chauhan Son of Buddhu Chauhan Resident of Village - Jai Shree Bigha, P.S.- Hisua, District - Nawada

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Santosh Kumar Jha, Advocate
For the Respondent/s : Mr.Binay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 18-02-2020 Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Nawada, in connection with Nawada SC/ST Police Station Case No.23 of 2018, registered under Sections 341/323/325/307/34 of the Indian Penal Code and Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The main allegation of commission of assault is against co-accused Tuntun Singh. Further allegation is that



Tuntun Singh along with his criminal associates including the appellant took the deceased on a four-wheeler and threw the deceased from the running vehicle as a result whereof victim died.

Considering the fact that there is no material to specify that the appellant is one of the persons, who had actually participated in throwing the deceased out of the vehicle, let the appellants, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with the aforesaid case, with condition that the appellants shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellants.

The appellants shall not leave the country without permission of the trial Court.

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

(Birendra Kumar, J)

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