

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.727 of 2020**

Arising Out of PS. Case No.-69 Year-2019 Thana- PUNAURA District- Sitamarhi

LALJI PATEL S/o Late Vija Patel @ Bija Patel R/o village- Pamra, P.S.-
Punaura, District- Sitamarhi

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Alok Kumar Alok

For the Respondent/s : Mr.Sadanand Paswan SPL.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

3 01-06-2020

Heard learned counsel for the parties.

This appeal has been preferred under Section 14A (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as ‘the Act’), putting to challenge an order dated 03.01.2020 passed by learned First Additional Sessions Judge-Cum-Special Judge (SC/ST Act), Sitamarhi in connection with Punaura P.S. Case No. 69 of 2019, registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 3(i) (V) (V) (2) of the Act.

There are seven persons named in the First



Information Report. It is alleged against them that they forcibly made the father of the informant to consume some liquid, whereafter he died. The informant's father is said to have died of poisoning.

Learned counsel for the appellant has submitted that as a matter of fact, the appellant's father has committed suicide and a false case has been lodged because of certain dispute between two families, which was being attempted to be resolved amicably through Panchayat. He has further submitted that upon completion of investigation, charge-sheet has been submitted under Section 306 of the Indian Penal Code, which fact belies the nature of accusation made in the FIR. The appellant is in custody since 27.08.2019.

Considering the submission as noted above, in my opinion, the appellant deserves his release on bail.

The impugned order dated 03.01.2020 passed in Punaura P.S. Case No. 69 of 2019 requires interference and is accordingly set aside.

This appeal is allowed.



Let the above-named appellant be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned First Additional District Judge-cum-Special Judge (SC/ST Act), Sitamarhi in Punaura P.S. Case No. 69 of 2019.

(Chakradhari Sharan Singh, J)

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