

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4912 of 2019

Arising Out of PS. Case No.-223 Year-2019 Thana- DUMRAO District- Buxar

Ashutosh Rai Son of Ram Kumar Rai Resident of Village- Ekawna, P.S.-
Simri, District- Buxar.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sudhir Kumar Singh, Advocate
For the Respondent/s : Mrs.Usha Kumari 1, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 03-02-2020 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 vide order dated 29.06.2019 passed by the learned Additional Sessions Judge I-cum-Special Judge (S.C./S.T. Act), Buxar, in connection with Dumraon (New Bhojpur) Police Station Case No.223 of 2019 registered under Sections 302/120B/34 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(2) (v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The FIR reveals that since son of the informant was in love with the sister of the appellant, the appellant is suspected to have committed murder of the son of the informant.



Submission is that only material against the appellant is suspicion. He is in custody since 21.06.2019. Investigation of the case is already complete.

Considering the aforesaid fact, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) 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 following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The appellant shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

(c) The appellant 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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