

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4783 of 2019

Arising Out of PS. Case No.-331 Year-2019 Thana- GANDHIMAIDAN District- Patna

SONU KUMAR son of Late Brij Nandan Prasad Resident of Adalat Ganj,
Chap Rasi Quarter, Jhoparpatti, P.S.- Kotwali, Town and District- Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 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 14.10.2019 passed by the learned Additional Sessions Judge-20-cum-Special Judge (S.C./S.T. Act), Patna, in connection with Special Case No.365 of 2019, arising out of Gandhi Maidan Police Station Case No.331 of 2019 registered under Section 302/34 of the Indian Penal Code and Section 3(2) (v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The informant is not an eyewitness of the occurrence of assault. The wife of the deceased stated that when she reached hearing the noise that her husband is being



assaulted by blaming him a thief. She came at the place of assault. Her husband disclosed that Ranjeet Yadav, Sudhir Yadav and Yogendra Yadav had assaulted him.

Since no direct material is there against the appellant, who has got no criminal antecedent, as well as considering the fact that investigation of the case is already complete, 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 investigation/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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