

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4995 of 2019

Arising Out of PS. Case No.-81 Year-2019 Thana- MATIHANI District- Begusarai

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Avinash Kumar Son of Umakant Singh @ Raja Ram Singh Resident of
Village - Ramdiri Tola Bhawanandpur, P.S. - Matihani, District - Begusarai

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Prakash Chandra Jha, Advocate
For the Respondent/s : Mr.Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 24-02-2020 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 01.10.2019 passed by learned Special Judge (S.C./S.T. Act), Begusarai, in connection with Matihani Police Station Case No.81 of 2019, registered under Sections 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 FIR of the occurrence of murder is against unknown. The appellant was abruptly attested in this case and his confession has been recorded by the police while in police custody. The impugned order reveals that besides the aforesaid,



there is no material against the appellant. The appellant is in custody since 01.07.2019. Investigation of the case is already complete.

Considering the aforesaid facts, 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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