

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5103 of 2019

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

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Golu Singh @ Golu Kumar Son of Ram Sharan Singh @ Pahalwan Resident
of Village - Ward No. 8, Ramdiri (Mahaji), Tola Pahadi, P.S.- Matihani,
District- Begusarai

... .. Appellant

Versus

The State of Bihar

... .. Respondent

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Appearance :

For the Appellant : Mr. Pritish Kumar Lal, Adv.

For the Respondent : M/s. Usha Kumari 1, Special P.P.

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

3 02-06-2020 Heard learned counsel Shri Pritish Kumar Lal, appearing
for the appellant Golu Singh @ Golu Kumar and learned
Special Public Prosecutor Usha Kumari, appearing for the State
through video conferencing and perused the record.

At the very outset, learned counsel of the appellant points
out that all the defects, as pointed out by the office, have already
been removed by filing supplementary affidavit.

This appeal has been preferred against the impugned
order dated 01.10.2019 passed by learned Special Judge, SC/ST
(Prevention of Atrocities) Act, Begusarai in Matihani P.S. Case
No. 81 of 2019 by which and whereunder the learned Special
Judge refused to enlarge the appellant on bail taking note of the
materials available on the case diary.



Perusal of impugned order goes to show that except the confessional statement of co-accused Avinash Kumar, there was nothing before the learned Special Judge to form an opinion about the involvement of the appellant in the alleged crime. However, learned counsel of the appellant informs that co-accused Avinash Kumar has already been admitted on bail by a co-ordinate Bench of this court vide order dated 24.02.2020 passed in Cr. Appeal (SJ) No. 4995 of 2019.

In view of the aforesaid facts and circumstances as well as submissions of the parties, this appeal is allowed and impugned order dated 01.10.2019 passed by learned Special Judge, SC/ST (Prevention of Atrocities) Act, Begusarai is, hereby, set aside. Accordingly, appellant, above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST (Prevention of Atrocities) Act, Begusarai in connection with Matihani P.S. Case No. 81 of 2019.

(Hemant Kumar Srivastava, J)

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