

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4818 of 2019

Arising Out of PS. Case No.-51 Year-2019 Thana- DIGHALBANK District- Kishanganj

NURSHED ALAM @ NAWSAD ALAM @ MD. NURSAID ALAM, Son of
Abdul Zabbar @ Abdul Gaffar, Resident of Village - Bualdah, P.S. -
Dighalbank, District - Kishanganj

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ram Prawesh Kumar, Advocate
For the Respondent/s : Mr. Sadanand Paswan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 04-02-2020

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail vide order dated 01.10.2019 in Dighalbank P.S. Case No. 51 of 2019 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Kishanganj in connection with the aforesaid case registered under Sections 302/34 of the Indian Penal Code as well as Section 3(2)(V) of the SC/ST Act.

The wife of the appellant committed suicide in her mother’s house as she was not pulling well with the appellant. Victim was already married with some other person and after ten years of marriage, the relationship breakdown then she married with the appellant.



Submission is that there is no direct evidence against the appellant. Appellant has got no criminal antecedent. Appellant is in custody since 12.07.2019. Investigation of the case is already complete against the appellant.

Considering the entire submission aforesaid, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with the aforesaid case, subject to the following conditions:-

(a) 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.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(c) The appellant shall not leave the country without permission of the learned trial court.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	05.02.2020
Transmission Date	05.02.2020

