

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5068 of 2019

Arising Out of PS. Case No.-366 Year-2019 Thana- BIHTA District- Patna

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MOHAN PASWAN Son of Late Laddu Paswan Resident of Village -
Kishunpur, Police Station - Bihta, District- Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Arun Kumar Singh, Advocate.

For the Respondent/s : Mr.Usha Kumari 1, Spl. PP.

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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 28.08.2019 passed by the learned Addl. Sessions Judge-XIII cum Special Judge (SC/ST Act), Patna in Special Case No. 164 of 2019, arising out of Bihta P.S. Case No. 366 of 2019 registered under Sections 302, 120B of the Indian Penal Code and Sections 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Only suspicion is there against the appellant to have committed murder of son of the informant. The F.I.R. was lodged on recovery of dead body. Appellant has got no criminal antecedent and he is in custody since 12.04.2019. Investigation



of the case is already complete.

Considering the aforesaid facts and especially the fact that only material against the appellant is suspicion, let the appellant, above named, be released on bail, on furnishing bail bonds 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 the appeal is allowed.

(Birendra Kumar, J)

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