

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5244 of 2019

Arising Out of PS. Case No.-371 Year-2018 Thana- PHULWARISHARIF District- Patna

SATYENDRA KUMAR @ BHOLA, Son of Raju Ray, Resident of Village-
Bagahatola, P.S. - Janipur, District - Patna.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : **None**

For the Respondent/s : Mr. Sadanand Paswan, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 06-02-2020

No one appears on behalf of the appellant.

Heard learned Special Public Prosecutor for the State.

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 16.11.2019 in Special Case No. 87 of 2019 arising out of Phulwari Sharif (Janipur) P.S. Case No. 371 of 2018 passed by the learned Special Judge S.C./S.T. Act, Patna in connection with the aforesaid case registered under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The FIR of the occurrence of murder is against unknown. The available case diary does not show that anyone had seen the occurrence.



Considering the fact that there is no eyewitness of the occurrence, 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	07.02.2020
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