

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.5494 of 2019**

Arising Out of PS. Case No.-162 Year-2019 Thana- DANIYAWAN District- Patna

1. Indal Bind aged about 25 years (Male) S/o Kumar Bind @ Raj Kumar Jamadar R/o village- Barbatta, P.S.- Daniyawon, District- Patna
2. Praddum Bind aged about 22 years (Male) S/o Kumar Bind @ Raj Kumar Jamadar R/o village- Barbatta, P.S.- Daniyawon, District- Patna

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr.Arvind Kumar Mouar

For the Respondent/s : Mr.Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

6. 22-05-2020                      This matter is taken up for consideration through Video Conferencing under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the appellants, learned Special P.P. as well as learned counsel for the informant.

The present matter relates to grant of bail to the appellants in Special Case No. 488 of 2019, arising out of Daniyawon P.S. Case No. 162 of 2019, registered for the offence under Sections 147, 149, 302, 201 of the Indian Penal Code and Section 3(i)(r) of the SC/ST Act.

The prosecution case, in brief, is that on 07-10-2019 in the evening, the brother of the informant had gone for natural



call, but he did not return till night. Thereafter, on the next date, when informant searched his brother, he saw that the dead body of his brother was lying in the paddy field. It is further alleged in the FIR that six months ago, a quarrel took place between the informant's side and appellants' side, who were neighbour of the informant, and in the quarrel, the appellants and others had given threat to kill.

It is submitted on behalf of appellants that appellants have been made accused only on suspicion. There is no eye-witness to the occurrence and no incriminating article has been recovered against the appellants to connect them with the present case. The appellants are in custody since 10-10-2019, having no criminal antecedent and no offence under SC/ST Act is made out.

However, learned A.P.P. as well as learned counsel for the informant have vehemently opposed the prayer for bail.

In view of aforesaid facts and circumstances, the criminal appeal is allowed.

Let both appellants, as named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge – XXth cum Special Judge, SC/ST



Act, Patna in connection with Special Case No. 488 of 2019,  
arising out of Daniyawar P.S. Case No. 162 of 2019.

**(Prabhat Kumar Singh, J.)**

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