

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5707 of 2019

Arising Out of PS. Case No.-55 Year-2019 Thana- SALAIYA District- Aurangabad

DEEPAK CHAURASIYA @ NANHE, S/o Awdhesh Chaurasiya, Resident of
Village - Chaudhary Bigha, P.S. - Salaiya, Distt. - Aurangabad.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shailesh Kumar Singh, Advocate
For the Respondent/s : Mr. Usha Kumari 1, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 06-02-2020

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 14.10.2019 in Salaiya P.S. Case No. 55 of 2019 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, S.C./S.T., Aurangabad in connection with the aforesaid case registered under Sections 302/34 of the Indian Penal Code as well as Section 3(1)(r)(s), 3(2)(v)3(2)(V2) of the SC/ST Act.

There is no eyewitness of occurrence of assault committed against the deceased. However, the FIR reveals that informant got information about the assault from his nephew Chandan Kumar. Chandan Kumar stated before the police that he had heard that the



appellant had assaulted to the deceased.

Considering the fact that there is no direct evidence against the appellant, 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.
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