

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1077 of 2021**

Arising Out of PS. Case No.-151 Year-2020 Thana- TAJPUR District- Samastipur

Ramakant Ray @ Ramakant Singh Son of Late Ramdev Ray Resident of
Village - Keshonarayanpur, P.S.- Tajpur, Halai (O.P.), District - Samastipur

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Mukesh Kumar
For the Respondent/s : Mr.Spl.P.P.

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

2. 01-03-2021 Heard learned counsel for the parties.

The present appeal has been filed against order dated 15.12.2020 passed by learned Special Judge, SC/ST Act, Samastipur in Tajpur (Halai) P.S. Case No. 151 of 2020 registered for the offence punishable under Section 302 of the Indian Penal Code and Sections 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST Act, whereby the prayer for bail of appellant was rejected.

As per the prosecution case, the father of the informant with other two persons were working for the last 7-8 days at the house of appellant. On 06.05.2020, in the morning, it is stated that appellant called informant's father for work and soon thereafter, one Krishna Singh came and informed the informant that his father has been murdered.



It is submitted on behalf of appellant that appellant has been made accused only on suspicion, raised by the informant in the FIR. There is no material to show complicity of appellant with the aforesaid occurrence. There is no eye-witness to the occurrence. It is further submitted that co-accused Shivnath Chaudhary has already been granted bail by this Court, vide order dated 14.12.2020 passed in Cr.Appeal (SJ) No. 1710 of 2020 (Annexure – 2). The appellant has no criminal antecedent and he is in custody since 16.10.2020.

Considering the aforesaid facts & circumstances, the impugned order dated 15.12.2020 passed by learned Special Judge, SC/ST Act, Samastipur in Tajpur (Halai) P.S. Case No. 151 of 2020 is set aside and appeal is allowed.

Accordingly, let the appellant, above named, be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST Act, Samastipur in connection with Tajpur (Halai) P.S. Case No. 151 of 2020 on following conditions:

“(1) Appellant shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be



cancelled by the Court below.

(2) If the appellant tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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