

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1159 of 2021**

Arising Out of PS. Case No.-611 Year-2020 Thana- SAHARSA District- Saharsa

Chandeshwari Sah @ Babajee Sah S/O Late Jagan Sah R/O Village Thakur
Tola, Ward No 2, Nariyar Road P.S. Saharsa District Saharsa

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Bhaskar Shankar,Adv
For the Respondent/s : Mr.A.P.P.

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

2 23-03-2021 Let the defects be removed within four weeks.

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 by order dated 22.09.2020 in Special Case No.94 of 2020 arising out of SC/ST P.S.Case No.611 of 2020 passed by the learned Addl. Sessions Judge-III-cum-Special Judge, Saharsa, registered under Sections 302,324,323,341,504,506,147,148,149 of the Indian Penal Code, and Section 3(1)(r)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

FIR was lodged on recovery of the dead body of Sukhdeo Rajak, whose murder was committed by cutting his



neck. Suspicion is there against 07 persons including the appellant.

Submission is that the impugned order would reveal that there is no other material against the appellant save and except suspicion. Investigation of the case is already complete.

Let the appellant, above named, be released on bail on furnishing bail bond 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 condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the appellant shall fully cooperate with the investigation/trial of the case and also the appellant shall not leave the country without permission of the learned Trial Court, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

U		T	
---	--	---	--

