

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1234 of 2021

Arising Out of PS. Case No.-119 Year-2020 Thana- DANIYAWAN District- Patna

1. UMESH PASWAN
2. NARESH PASWAN
Both Sons of Late Ramashish Paswan Resident of Village - Faridpur, P.S.-
Daniyawa, Distt.- Patna.
3. VALMIKI PASWAN @ BALMIKI PASWAN Son of Late Prayag Paswan
Resident of Village - Taraura, P.S.- Daniyawa, Distt.- Patna.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Akhauri Kamal Kishore Sahay,Adv
For the Respondent/s : Ms. Usha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 17-04-2021 Let the defects be removed within two weeks of

the start of the physical Court.

Heard the parties in virtual Court.

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 24.11.2020 in Special Case No.438 of 2020
(arising out of Daniyawa P.S.Case No.119 of 2020) passed
by the learned Additional District Sessions Judge-III-cum-
cum-Special Judge (S.C./S.T. Act), Patna, registered under
Sections 147,148,149,302,120(B) of the Indian Penal Code,



and Section 3(i)(r)(s)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Learned counsel for the appellants submits that the appellants are not the person who were involved in commission of murder rather they were suspected to be involved in the occurrence as they were also standing nearby the place of occurrence.

Considering the nature of allegation against the appellants, who are in custody since 24.08.2020, let the appellants, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) each 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 appellants shall fully cooperate with the investigation/trial of the case and also the appellants 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 appellants.



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

(Birendra Kumar, J)

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