

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1791 of 2021**

Arising Out of PS. Case No.-408 Year-2019 Thana- SIWAN MUFFASIL District- Siwan

MD. SADIM @ SIBU @ SADIM @ SALIM Son of Md. Shamim Resident
of Village - Baghra Laxamipur, P.S.- Siwan Muffasil, District - Siwan.

... .. Appellant

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr. Ajay Kumar Pandey, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl. P.P.

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

2 02-07-2021 Let the defects be removed within four weeks after
start of the physical Court.

Heard the parties in virtual Court proceeding.

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 06.01.2021 passed by the learned Additional Sessions Judge 1st cum Special Judge, Siwan in connection with Siwan Muffasil (Mahadeva) P.S. Case No. 408 of 2019 registered under Sections 302, 120(B)/34 of the I.P.C., Section 27 of the Arms Act and Section 3(i)(r)(s)/2(v) of the SC/ST Act.

The FIR would reveal that co-accused Babu Tiwari is assailant of the son of the informant. Informant is eye-witness of the occurrence. Appellant is not named in the FIR. Investigation



of the case is already complete.

Considering the facts aforesaid, let the appellant, above named, be released on bail, on furnishing bail bonds 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 following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The appellant shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

(c) The appellant shall not leave the country without permission of the trial Court.

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

(Birendra Kumar, J)

shahzad/-

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

