

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1808 of 2021**

Arising Out of PS. Case No.-217 Year-2019 Thana- KARAHGAR District- Rohtas

RAM AWADH MUSHAR Son of Late Parikha Mushar Resident of Village -
Amawaliya, P.S.- Kargahar, Distt.- Rohtas.

... .. Appellant

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Shankar Kumar, Advocate
For the Respondent/s : Ms. Usha Kumari, 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 07.11.2020/16.01.2021 passed by the learned 1st
Additional Sessions Judge cum Special Judge (SC/ST Act),
Rohtas at Sasaram in connection with Reg. Case No. 192 of
2019 arising out of Kargahar P.S. Case No. 217 of 2019
registered under Sections 302, 34 of the I.P.C., and Section 3(2)
(v) of the SC/ST Act.

Dead body of the son of the informant was found and
thereafter, two others were suspected to be involved in the
murder of son of the informant. Appellant is not named in the



FIR. During investigation, name of the appellant surfaced. Appellant has got no criminal antecedent. 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)

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