

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1792 of 2021

Arising Out of PS. Case No.-265 Year-2020 Thana- BIBHUTIPUR District- Samastipur

MANJAY RAI Son of - Golai Rai Resident of Village- Mohamdpur Sankra,
P.S.- Bibhutipur, District- Samastipur.

... .. Appellant

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Rabindra Kumar Priyadarshi, 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 24.11.2020 passed by the learned Special Judge (SC/ST Act), Samastipur in connection with Bibhutipur P.S. Case No. 265 of 2020 registered under Section 302 of the I.P.C., and Section 3(2)(v) of the SC/ST Act.

According to FIR, the father of the informant left the house along with appellant and thereafter, his dead body was found. Some witnesses stated that both were seen taking liquor.

Submission is that only material against the appellant



is of last seen. No motive is alleged against the appellant of commission of murder. Appellant is in custody since 20.10.2020. 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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