

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1857 of 2021

Arising Out of PS. Case No.-303 Year-2020 Thana- DIGHWARA District- Saran

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JITESH RAI Son of Vilash Rai @ Ram Bilash Ray Resident of Village -
Paguraha, Kuraiyan, P.S. Dighwara, District - Saran.

... .. Appellant

Versus

THE STATE OF BIHAR

... .. Respondent

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Appearance :

For the Appellant/s : Mr. Mukesh Kumar Singh, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 16-08-2021 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 28.01.2021 passed by the learned 1st Additional Sessions Judge/ Special Judge SC/ST (POA) Act, Saran in connection with Dighwara P.S. Case No. 303 of 2020 registered under Sections 302, 201/34 of the I.P.C., and Section 3(2) (v) of the SC/ST Act.

Submission is that except suspicion, there is nothing against the appellant's involvement in the occurrence of murder. Investigation of the case is already complete. There is no eye witness of the occurrence. Appellant is in custody since 28.12.2020.



Considering the facts aforesaid and completion of investigation, 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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