

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.1862 of 2021**

Arising Out of PS. Case No.-257 Year-2020 Thana- DIGHA District- Patna

SAURABH KUMAR S/O- Sri Anil Kumar @ Anil Rai R/V - Makhdumpur,  
Gate No. -89, P.S. - Digha, Distt. - Patna.

... .. Appellant

Versus

THE STATE OF BIHAR

... .. Respondent

**Appearance :**

For the Appellant/s : Mr. Vijay Kumar Sinha, Advocate  
For the State : Mr. Sadanand Paswan, Spl. PP.

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

4      31-08-2021                      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 19.12.2020 passed by the learned Additional Sessions Judge-III-cum Special Judge, SC/ST, Patna in connection with Special Case No. 251 of 2020 arising out of Digha P.S. Case No. 257 of 2020, G.R. No. 2645 of 2020 registered under Sections 341, 323, 325, 307, 365, 34 of the I.P.C. and later on, Section 302 of the I.P.C. and Section 3(2)(v) of the SC/ST Act have been added.

The FIR was lodged on recovery of dead body against unknown. During investigation suspicion was raised against the appellant also. The impugned order reveals that there is no eye



witness of the incident and only material against the appellant is suspicion. Appellant has got no criminal antecedent. He is in custody since 09.06.2020.

Considering the entire 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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