

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1904 of 2021

Arising Out of PS. Case No.-163 Year-2020 Thana- KALYANPUR District- East Champaran

Manoj Kumar Son of Munnilal Prasad Resident of Village - Hussaini, P.S.
Dumariaghat, District - East Champaran.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Sheo Jee Mishra, Advocate
For the Respondent/s	:	Ms. Usha Kumari, SPP
For the Informant	:	Mr. Abhishek Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 17-08-2021 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 vide order dated 09.12.2020 passed by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), East Champaran, Motihari, in connection with Kalyanpur Police Station Case No.163 of 2020, registered under Sections 147/323/324/325/326/307/302/504/506/427 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and



Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Co-accused Anup Das bearing identical allegation to that of the appellant has already been allowed bail by a coordinate Bench of this Court in Cr. Appeal (S.J.) No.1904 of 2021.

Prosecution case is that the appellant and Anup Das had caught hold when Ramesh Prasad gave a blow with Gupti, a weapon of piercing, causing death of the brother of the informant. Investigation of the case is already complete.

Considering the facts aforesaid, let the appellant, above named, be released on bail on furnishing bail bond 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
appeal is allowed.

(Birendra Kumar, J)

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