

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1885 of 2021**

Arising Out of PS. Case No.-171 Year-2017 Thana- BARHIYA District- Lakhisarai

Gopal Gaurav @ Jhuniya Son Of Navin Singh R/O Village- Garh Tola,
Barahiya, P.S.- Barahiya, District- Lakhisarai.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Rabi Bhushan, Advocate
For the Respondent/s : Mr. Sadanand Paswan, SPP

**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 16.01.2021 passed by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Lakhisarai, in connection with Barahiya Police Station Case No.171 of 2017 registered under Sections 302/201/34 of the Indian Penal Code and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The FIR was lodged on recovery of the dead body of the husband of the informant. Some other co-accused are named in the FIR whereas the appellant is not named in the FIR. During investigation confessional statement of co-accused led to



implication of the appellant. Investigation of the case is already complete.

Considering lack of sufficient material for further detention of the appellant as under trial prisoner, 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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