

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2017 of 2021**

Arising Out of PS. Case No.-6 Year-2021 Thana- CHAPRA MUFFASIL District- Saran

Chotu @ Aditya Raj, Son of Janardan Thakur R/O Village- Naviganj
Nageshwar Colony, P.S.- Bhagwan Bazar, Dist.- Saran (CHAPRA)

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sachida Nand Rai, Advocate.

For the Respondent/s : Mr.Binay Krishna, Spl. PP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 02-08-2021 Heard the parties in virtual Court.

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 10.02.2021 passed by the learned 1st Addl. Sessions Judge cum Special Judge (SC/ST Act), Saran at Chapra in Chapra Muffasil P.S. Case No. 6 of 2021 registered under Section 302/34 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3(1)(r)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Suspicion is there against the appellant and others to be involved in the murder of the son of the informant. The suspicion is for the reason that the deceased had informed to the



informant on mobile call that the appellant and two others have surrounded him. Thereafter, mobile phone of the deceased was found switched off.

Learned counsel for the appellant submits that the informant did not supply his mobile number, consequently the call details could not be verified during investigation. Only material against the appellant is his confessional statement before the police while in police custody. Investigation of the case is already complete.

Learned counsel for the informant opposed the prayer for bail.

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