

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2047 of 2021

Arising Out of PS. Case No.-355 Year-2019 Thana- DALSINGHSARAI District- Samastipur

ABHIYAS PASWAN @ RAVAN Son of Deoraj Paswan Resident of Village-
Bhatgawn, Ward No. 1, P.S.- Dalsinghsarai, District- Samastipur.

... .. Appellant

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr. Choudhary Shyam Nandan, Advocate
For the Respondent/s : Mrs. Usha Kumari No. 1, Spl. PP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 14-09-2021 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 15.01.2021 passed by the learned Special Judge (SC/ST), Samastipur in connection with Special Case No. 31 of 2019 arising out of Dalsinghsarai P.S. Case No. 355 of 2019 registered under Sections 376(D), 302, 201/34 of the I.P.C., and Section 3(1)(r), 3(1)(s) of the SC/ST Act.

According to first information report, the appellant and co-accused were found fleeing from the place where dead body of the mother of the informant was there. The doctor did not find any sign of sexual assault. The postmortem report reveals that ligature mark on the neck was found. There is no



evidence that anyone has seen anyone committing the murder of the mother of the informant and co-accused standing on similar footing has already been allowed bail by a co-ordinate Bench of this Court.

Considering the 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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