

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2625 of 2021

Arising Out of PS. Case No.-269 Year-2020 Thana- SALIMPUR District- Patna

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SUMAN KUMAR Son of Tunnu Rai Resident of Village - Lakhipur Bigaha,
P.S.- Salimpur, District - Patna

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Rudal Singh, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 13-07-2021 Heard learned counsel for the appellant and learned
Special P.P. for the State through video conferencing.

The appellant has preferred this appeal against the order dated 6.3.2021 passed by the learned Additional District and Sessions Judge III-cum-Special Judge, SC/ST Act, Patna whereby the prayer for bail of the appellant in connection with Special SC/ST Case no. 425/2020 (arising out of Salimpur P.S. Case no.269 of 2020) registered under section 302 and other sections of the Indian Penal Code and section 3(2)(v) and 3(2)(va) of the SC and ST (Prevention of Atrocities) Act, was rejected.

As per allegations in the F.I.R., it is stated by the informant that on the accused persons including the appellant



herein having pushed her 15 year old son, he came in contact with live electric wire and on being taken to the hospital was declared dead.

It is submitted by learned counsel for the appellant that the allegations as levelled in the F.I.R. are false and incorrect. It was the son of the informant who was accidentally electrocuted and a concocted case was registered by the informant. On investigation chargesheet has been submitted under section 304A of the Indian Penal Code which is bailable. The appellant is in custody since 8.2.2021 and has no criminal antecedent.

The appeal is opposed by learned Special P.P. appearing for the State.

Having heard learned counsel for the parties and in view chargesheet having been submitted under section 304A of the Indian Penal Code, the Court is inclined to allow the instant appeal. The appeal is allowed and the order dated 6.3.2021 passed in Special SC/ST Case no. 425/2020 (arising out of Salimpur P.S. Case no.269 of 2020) is set aside.

The appellants are directed to be enlarged on bail in connection with Special SC/ST Case no. 425/2020 (arising out of Salimpur P.S. Case no.269 of 2020) on furnishing bail bond



of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge III-cum-special Judge, SC/ST Act, Patna.

(Partha Sarthy, J)

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