

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2004 of 2020

Arising Out of PS. Case No.-145 Year-2018 Thana- LAUKAHI District- Madhubani

MANISH SAH @ MANISH KUMAR SAH @ DOCTOR S/o Sri Sagar Sahu
Resident of Village-Bhaptiyahi, P.S.-Laukahi, District-Madhubani.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Vikramdeo Singh
		Mr.Lakshmindra Kumar Yadav
For the Respondent/s	:	Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 20-02-2021 Heard learned counsel for the parties.

This appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 has been preferred against the order dated 09.06.2020, passed by learned 1st Additional Sessions Judge-cum-Special Judge, Madhubani, in Laukahi P.S. Case No. 145 of 2018, corresponding to G.R. No. 127 of 2018, registered for the offence punishable under Section 302/34 of the Indian Penal Code and Sections 3(1)(r)(s), 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the appellant's prayer for regular bail has been rejected.

The appellant had earlier approached this Court challenging an order passed by the learned court below,



whereby his application for grant of regular bail was rejected, giving rise to Criminal Appeal (SJ) No. 1207 of 2019, which was rejected on 02.07.2019 with a direction to the court below to conclude the trial within nine months. It was further observed that if the trial was not concluded within the said period, the appellant may renew his prayer for bail.

As the trial could not conclude within nine months, as was directed by this Court, the appellant made another application before the court below for his release on bail, which has been rejected by an order dated 09.06.2020.

In the present appeal, the appellant has thus assailed the said order dated 09.06.2020 and is seeking his release on bail.

Learned counsel appearing on behalf of the appellant has submitted that he has been implicated by the wife of the deceased, who is the informant, merely on the basis of suspicion. In any view of the matter, he contends that since the trial has begun and the appellant has remained in custody since 18.11.2018, no purpose would be served if the appellant is compelled to remain in custody any further. He has submitted that the appellant will not default his appearance even once at the trial before the court below.



Considering the aforesaid submission, order dated 09.06.2020 stands set aside. This appeal is accordingly allowed.

Let the appellant, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge, Madhubani, in Laukahi P.S. Case No. 145 of 2018, corresponding to G.R. No. 127 of 2018.

(Chakradhari Sharan Singh, J)

Rajesh/-

U		T	
---	--	---	--

