

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2836 of 2021**

Arising Out of PS. Case No.-170 Year-2020 Thana- TARARI District- Bhojpur

VIKASH PANDEY S/o Late Chitranjan Pandey R/o village- Bhakura, P.S.-
Tarari, District- Bhojpur

... .. Appellant

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr. Sunil Kumar, Advocate

For the State : Mr. Binay Krishna, Spl.PP.

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

2 31-08-2021 Let the defects be removed within four weeks of the
start of the physical Court.

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 08.04.2021 passed by the learned Additional
Sessions Judge-I, Bhojpur at Ara in connection with SC/ST
Case No. 312 of 2020 arising out of Tarari P.S. Case No. 170 of
2020 registered under Sections 302, 201 of the I.P.C., and
Sections 3(1)(r)(s)/3(2)(v) of the SC/ST Act.



The FIR was lodged against unknown on recovery of dead body by the local chowkidar. During investigation some other co-accused allegedly confessed before the police while in police custody and in the confessional statement, name of the appellant also surfaced.

Submission is that investigation of the case is already complete. Some other co-accused have already been allowed bail.

Considering the nature of material available after completion of investigation, there is no need for further detention of the appellant as under trial prisoner, hence, 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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