

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2932 of 2021**

**In
CRIMINAL MISCELLANEOUS No.36162 of 2021**

Arising Out of PS. Case No.-219 Year-2020 Thana- BUXAR INDUSTRIAL District- Buxar

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Raja @ Tausif Khan Son of Reyaz Khan Resident of Village- Sarimpur, P.S.-
Buxar (Industrial), District- Buxar.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Amir Alam, Advocate
For the Respondent/s : Mr. Sadanand Paswan, SPP

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

3 06-09-2021 Heard the parties in virtual Court proceeding.

Let the defects, if any, be removed within four weeks
of the start of the physical 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 06.04.2021 passed by the learned Additional
Sessions Judge I-cum-Special Judge (S.C./S.T. Act), Buxar, in
connection with SC/ST Case No.142 of 2020, arising out of
Buxar (Industrial Area) Police Station Case No.219 of 2020,
registered under Sections 302/504/506/34 of the Indian Penal
Code, Section 27 of the Arms Act and Sections 3(1)(r)(s)/3(2)(v)



of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The FIR of the occurrence of murder was lodged on recovery of dead body of the son of the informant. The appellant has got no criminal antecedent. Only material against the appellant is confessional statement of co-accused before the police while in police custody as well as confessional statement of appellant before the police. The appellant is in custody since 16.12.2020. Investigation of the case is already complete.

Considering the facts aforesaid, let the appellant, above named, be released on bail on furnishing bail bond 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
appeal is allowed.

(Birendra Kumar, J)

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