

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3008 of 2021

Arising Out of PS. Case No.-89 Year-2021 Thana- UDWANTNAGAR District- Bhojpur

Raj Kumar Sah @ Raj Kumar Gupta Son of Late Sheo Lakhan Sah @ Shiv
Lakhan Sah Resident of Village - Bhelai, P.S. Udwant Nagar, District - Ara.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

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

For the Respondent/s : Mr. Binay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 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 25.06.2021 passed by the learned 1st Additional
Sessions Judge, Bhojpur at Ara, in connection with SC/ST Case
No.46 of 2021, arising out of Udwant Nagar Police Station Case
No.89 of 2021, registered under Sections 302/201/34 of the
Indian Penal Code and Section 3(2)(va) of the Scheduled Castes
and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Only circumstantial evidence in this case is of last
seen, if some of the prosecution witnesses are relied. The



appellant is in custody since 01.03.2021. Investigation of the case is already complete.

Considering lack of sufficient material against the appellant for further detention as under trial prisoner, 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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