

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3494 of 2021**

Arising Out of PS. Case No.-241 Year-2020 Thana- TEGHRHA District- Begusarai

Chhatthu Chaurasiya Son of Haripal Chaurasiya Resident of Village - Chilhai,
Ward No.1, P.S.- Teghra, Distt.- Begusarai.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ram Sumiran Rai

For the Respondent/s : Mr.Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 01-12-2021 Heard learned counsel for the appellant, informant
and learned Special Public Prosecutor for the State.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer of bail vide order dated 18.06.2021 passed by learned Special Judge, SC/ST (POA) Act, Begusarai in connection with Teghra P.S. Case No. 241 of 2020 registered under Sections 302 of the Indian Penal Code and Sections 3 (2) (v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the appellant is that he killed the husband of the informant and thereafter hanged on mango tree. The place of occurrence is nearby to the house of the appellant.

It is submitted by learned counsel for the appellant that appellant is innocent and has been falsely implicated in this



case. He submits that there is no eye witness to the said occurrence and only on suspicion, appellant has been made accused in this case. He further submits that appellant bears no criminal antecedent as stated in para-3 of this petition and he is languishing in judicial custody since 12.04.2021.

However, learned Spl. PP for the State and informant oppose the prayer for bail and submit that the appellant is named accused in the FIR and witnesses in the case diary have also supported the prosecution case.

Considering the facts and circumstances of the case and the fact that there is no eye witness in the present case and only on suspicion/last seen appellant has been made accused, the above named appellant, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, SC/ST (POA) Act, Begusarai in connection with Teghra P.S. Case No. 241 of 2020.

Accordingly, the impugned order is set aside and this appeal is allowed.

(Anjani Kumar Sharan, J)

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