

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2016 of 2020

Arising Out of PS. Case No.-151 Year-2020 Thana- TAJPUR District- Samastipur

MD. RAJJAK @ MD. RAJJAK MIYAN S/o Md. Monai Miyan @ Md. Rahman Resident of Village- Rariyahi, P.S.- Tajpur (Halai O.P.), District- Samastipur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Suneil Kumar Thakur
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 20-01-2021

Heard learned counsel for the parties.

This appeal under Section 14A(2) of the Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act, 1989 has been preferred against the order dated 10.07.2020, passed by learned Special Judge SC/ST (POA) Act, Samastipur in Tajpur (Halai OP) P.S. Case No. 151 of 2020, whereby the appellant's prayer for regular bail has been rejected.

The son of the deceased is the informant, who has alleged in the F.I.R. that the deceased, this appellant and co-accused Shivnath Chaudhary worked together in construction/repair of thatched houses. He, on an information to the effect, that his father had been killed when reached at the place of occurrence, he found that his



father was apparently assaulted with sharp cutting weapon in his neck and head. On the basis of suspicion, the appellant and co-accused Shivnath Chaudhary have been named in the F.I.R.

Learned counsel appearing on behalf of the appellant has submitted that co-accused Shivnath Chaudhary has been allowed regular bail by this Court by an order dated 14.12.2020 passed in Cr. Appeal No. 1710 of 2020. He has further argued that the appellant has been named in the F.I.R. only on the basis of suspicion.

On perusal of the F.I.R., it transpires that the accusation against the co-accused Shivnath Chaudhary and this petitioner is identical.

Considering the fact that co-accused Shivnath Chaudhary has been allowed regular bail by this Court, this appeal is allowed.

The impugned order dated 10.07.2020 is accordingly set aside.

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 Special Judge SC/ST (POA) Act, Samastipur in



Tajpur (Halai OP) P.S. Case No. 151 of 2020.

(Chakradhari Sharan Singh, J)

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