

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3113 of 2021**

Arising Out of PS. Case No.-171 Year-2017 Thana- BARHIYA District- Lakhisarai

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CHANDAN RAM Son of Matlu Ram Resident of Village - Barahiya,
Ramcharan Tola, P.S.- Barahiya, Distt.- Lakhisarai.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Umesh Prasad, Adv.

For the Respondent/s : Ms. Usha Kumari no.1, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 03-09-2021 Heard learned counsel for the parties through video conferencing.

The instant appeal has been preferred against the order dated 2.7.2021 passed by the learned I/C Additional District and Sessions Judge 1st, Lakhisarai whereby the prayer for bail of the appellant in connection with a case registered under sections 302, 201 and 34 of the Indian Penal Code and section 3(2)(va) of the S.C. and S.T. Act was rejected.

As per allegations in the F.I.R., it is stated by the informant that on her husband not returning, he was not to be found inspite of search. Subsequently, his dead body was discovered and she raised suspicion against the four accused



persons.

It is submitted by learned counsel for the appellant that the appellant is not named in the F.I.R. His name transpired in course of investigation on the confessional statement of one Tannu Kumari made before police. The said Tannu Kumari has been enlarged on bail on the ground of juvenility by order dated 21.6.2021 passed by this Court in Cr. Revision no.279 of 2021. It is further submitted that another accused Gopal Gaurav whose name also transpired in the statement of Tannu Kumari has been enlarged on bail vide order dated 17.8.2021 passed in Cr. Appeal (SJ) no.1885 of 2021. The appellant is in custody since 15.9.2020 and investigation in the case has concluded.

Heard learned Special P.P. appearing for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case together with grant of bail to the two other co-accused as mentioned above and the period in custody, the appeal is allowed and the order impugned dated 2.7.2021 is set aside.

The appellant is directed to be enlarged on bail in connection with Barahiya P.S. Case no.171 of 2017 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the



learned 1st Additional District and Sessions Judge-cum-Special
Judge, Lakhisarai.

(Partha Sarthy, J)

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