

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1969 of 2020

Arising Out of PS. Case No.-28 Year-2020 Thana- ADHAOURA District- Kaimur (Bhabua)

BHARAT KUMAR MAURYA @ BAIRISTER SINGH, Son of Late Ram
Dular Singh, Resident of Village - Orgain, P.S. - Bhagwanpur, District -
Kaimur (Bhabua).

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Pawan Kumar Singh
For the Respondent/s : Mr.Binay Krishna, Spl. P.P.

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

6 12-03-2021 Heard learned counsel for the parties.

This appeal under Section 14A(2) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act
has been preferred against the order dated 02.09.2020, passed
by learned 1st Additional Sessions Judge-cum-Special Judge,
Kaimur at Bhabua, in B.P. No. 256 of 2020, arising out of
Adhaura P.S. Case No. 28 of 2020, registered for the offence
punishable under Section 302/34 of the Indian Penal Code and
Sections 3(2)(v)(vi) of the Scheduled Castes and Scheduled
Tribes (Prevention of Atrocities) Act, whereby the appellant's
prayer for regular bail has been rejected.

The FIR was registered against unknown. During
course of investigation, it transpired that the deceased was



killed in a conspiracy hatched up by the petitioner, his wife and another co-accused. Confessional statements of the petitioner's wife and co-accused Tufani Paswan recorded by the police under Section 161 of the Cr.P.C. is there in the case diary, who, allegedly, while admitting their involvement, have named the petitioner also as the person operating from behind the scene.

Learned counsel appearing on behalf of the appellant has submitted that even if what has been alleged in the confessional statement of the co-accused persons is treated to be correct, no direct material has surfaced against the petitioner to justify his prosecution. The appellant is in custody since 25.04.2020.

Considering the materials available in the case diary collected during course of investigation, in my opinion, a case for grant of regular bail is made out. The impugned order dated 02.09.2020 requires interference by this Court and is accordingly set aside. This appeal is allowed.

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 1st Additional Sessions Judge-cum-Special Judge,



Kaimur at Bhabua in B.P. No. 256 of 2020, arising out of
Adhaura P.S. Case No. 28 of 2020.

(Chakradhari Sharan Singh, J)

Rajesh/-

U		T	
---	--	---	--

