

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.172 of 2021**

Arising Out of PS. Case No.-45 Year-2020 Thana- KHARHAGPUR District- Munger

NIRANJAN JHA @ NIRANJAN CHOUDHARY Son of Late Kokai
Choudhary Resident of Village - Manjhagay, P.S.- Haveli Kharagpur, District
– Munger. Appellant/s

Versus

The State of Bihar Respondent/s

Appearance :

For the Appellant/s : Mr.Manoj Kumar Jha,Adv
For the Respondent/s : Mr.A.P.P.

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

2 23-03-2021 Let the defects be removed within four weeks.

Heard learned counsel for the parties.

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 by order dated 25.08.2020 in Haveli Kharagpur P.S.Case No.45A of 2020 passed by the learned Special Judge (S.C./S.T.)-cum-A.D.J.-I, Munger, registered under Sections 302/201/34 of the Indian Penal Code, and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The FIR, of the occurrence of murder of the grandson of the informant, was lodged after recovery of the dead body. Suspicion is there against others, who have already been allowed bail. Suspicion is also against appellant and two others as they did not help the informant in search out of his son.



Considering lack of sufficient material for refusal of prayer for bail, 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 condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the appellant shall fully cooperate with the investigation/trial of the case and also the appellant shall not leave the country without permission of the learned Trial Court, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

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

(Birendra Kumar, J)

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