

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4213 of 2021

Arising Out of PS. Case No.-225 Year-2020 Thana- PATAHI District- East Champaran

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Vinod Paswan Son Of Suraj Paswan R/O Village- Dalpat Vishunpur, P.S.-
pachpakari, O.P.- Dhakha, District- East Champaran

... .. Appellant/s

Versus

1. The State Of Bihar
2. Bijendra Paswan Son of Late Ramdeo Paswan Resident of Village- Dalpat,
Vishunpur, P.S.- Dhakha, District- East Champaran

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr.Sanjay Kumar
For the State	:	Mrs.Usha Kumari 1
For the respondent no. 2	:	Mr. Abhishekh Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 05-05-2022 Heard learned counsel for the appellant, respondent no. 2
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, (hereinafter in short referred to as the ‘SC/ST Act’) against the refusal of prayer for bail vide order dated 31.07.2021, passed by learned 1st Additional Sessions Judge, East Champaran, Motihari in connection with Patahi P.S. Case No. 225 of 2020, registered under Sections 302, 201, 34 of the IPC and Sections 3(i) (x) (v), 3 (2)(v) of SC/ST Act.

Allegation against the appellant is that he was demanded twenty thousand rupees from the informant for the purpose of marriage ceremony of his daughter. Informant refused to pay the above said amount to the appellant. In the revenge of this matter, appellant and other co-accused persons have murdered the



informant's son.

It is submitted by learned counsel for the appellant that the appellant is innocent and has been falsely implicated in this case merely on suspicion. He submits that there is no eye witness to the said occurrence. He further submits that appellant has no criminal antecedent as stated in para-3 of this appeal and he is languishing in judicial custody since 17.05.2021.

However, learned Spl. PP for the State and informant oppose the prayer for bail and submit that the appellant is also involved in the crime.

Considering the facts that there is no eye witness to the said occurrence and only on suspicion 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 1st Additional Sessions Judge, East Champaran, Motihari in connection with Patahi P.S. Case No. 225 of 2021.

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

(Anjani Kumar Sharan, J)

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