

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2903 of 2022

Arising Out of PS. Case No.-132 Year-2021 Thana- SHIVSAGAR District- Rohtas

GAUTAM KUMAR S/o Rajmohan Sah Resident of village Naudiha, P.S.-
Sheosagar, District - Rohtas.

... .. Appellant/s

Versus

1. The State of Bihar
2. Sunaina Devi Relation not given Resident of village - Manki, P.S.-
Sheosagar (Baddi O.P.), District - Rohtas.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Dhaneshwar Prasad Gupta, Adv.
For the Respondent/s : Mr.Sadanand Paswan, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-09-2022 Heard the parties.

Learned counsel for the appellant is directed to remove the defects as pointed out by the office, within four weeks.

This is an appeal u/s 14(A)(2) of the SC/ST Act against the refusal of prayer for bail vide order dated 16.08.2021, passed by learned 1st Additional Sessions Judge -cum- Special Judge, Rohtas, in connection with Sheosagar (Baddi) P.S. Case No.132/2021, registered u/s 302/120(b)/34 IPC.

Earlier, the prayer for bail of this appellant was rejected vide order dated 02.12.2021 passed in Cr. Appeal (SJ) No.3674 of 2021 by this Court with a liberty to renew his prayer for bail after framing of charge.

The order dated 02.12.2021 in Cr. Appeal (SJ) No.3674 of



2021 was passed in presence of counsel for the respondent no.2, as such, no notice is required to be issued upon the respondent no.2/informant.

The appellant has now filed this application for bail.

It is submitted by learned counsel for the appellant that charge has been framed against the appellant on 10.03.2022. This fact is also supported by Annexure-3 to this memo of appeal. It is submitted that appellant is in custody since 03.06.2021.

In the facts and circumstance of the case, the above named appellant is directed to be released on bail on furnishing bail bond of Rs.25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge -cum- Special Judge, SC/ST Act, Rohtas at Sasaram, in connection with Sheosagar (Baddi) P.S. Case No.132/2021.

The impugned order is accordingly set aside and the appeal is allowed.

(Anjani Kumar Sharan, J)

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