

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3704 of 2023**

Arising Out of PS. Case No.-69 Year-2023 Thana- ISUAPUR District- Saran

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Raju Kumar S/O Harendra Sah R/O Vill- Sadhwara, Ps- Isuapur, Dist- Saran

... .. Appellant/s

Versus

1. The State of Bihar
2. Jairam Ram Son Of Manaki Ram Resident Of Village- Sadhwara, Ps- Isuapur, Dist- Saran

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr.Avnish Kumar Singh
For the Respondent/s	:	Mr.Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 07-12-2023 Heard learned counsel for the appellant,

informant and learned Special P.P for the State.

The appellant has challenged the order dated 10.07.2023 passed by learned 3rd Additional Sessions Judge-cum-Special Judge SC/ST Act, Saran in connection with Isuapur P.S. Case No. 69 of 2023 instituted for the offences punishable under Sections 302, 201, 120(B) of the Indian Penal Code, however, charge-sheet has been submitted under Section 306 of the Indian Penal Code and Section 3(2)(v) of the SC/ST Act whereby his prayer for being released on bail has



been rejected.

It is alleged that daughter of the informant committed suicide due to abatement by the appellant.

It is submitted by learned counsel for the appellant that appellant is innocent and he has falsely been implicated in this case. From the F.I.R itself, it is clear that there was some relationship between the deceased and the appellant which was disliked by the informant and his son and on the alleged date of occurrence, the deceased was caught talking with the appellant on phone which was disliked by the brother of the deceased and due to scolding by the brother of the deceased, she committed suicide. Admittedly, there is no eye witness to the occurrence. During investigation also, no material evidence was collected against the appellant to connect the appellant with the murder of the daughter of the informant. The appellant is in custody since 10.03.2023. A statement has been made in para 3 of the petition that appellant has clean antecedent.



In contra, learned Special P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the appellant.

Taking into account the aforesaid facts, this Court deems it appropriate to set aside the order dated 10.07.2023.

Accordingly, this appeal is allowed.

The appellant, above named, is directed to 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 3rd Additional Sessions Judge-cum-Special Judge, SC/ST Act, Saran at Chapra in connection with Isuapur P.S. Case No. 69 of 2023.

(Sunil Kumar Panwar, J)

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