

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3917 of 2023

Arising Out of PS. Case No.-182 Year-2023 Thana- BARH District- Patna

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Sujeet Das @ Sujeet Kumari Bharti Son Of Late Yogendra Das @ Anugrah
Das Village- Akbarpur, Ps- Barh, Dist- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Adalat Das Son Of Late Sheetal Das Village- Akbarpur, Ps- Barh, Dist-
Patna

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Ashok Kumar Kashyap
For the Respondent/s : Mr.Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 14-12-2023 Heard learned counsel for the appellant,

informant and learned Special P.P for the State.

The appellant has challenged the order dated

01.08.2023 passed by learned Exclusive Special Judge

SC/ST Act, Patna in connection with Special Case No.

(SC/ST) No. 120 of 2023, arising out of Barh P.S. Case

No. 182 of 2023 instituted for the offences punishable

under Sections 302, 201, 120(B) of the Indian Penal

Code and Sections 3(2)(v) of the SC/ST Act whereby his

prayer for being released on bail has been rejected.

It is a case of commission of murder of the son



of the informant by all the F.I.R named accused persons including the appellant. The informant alleged that earlier also, another son of the informant was murdered for which accused Kailu Das and Ajit Das are in custody and these accused, in conspiracy with other accused persons including the appellant have also murdered the other son of the informant.

It is submitted by learned counsel for the appellant that appellant is innocent and he has falsely been implicated in this case. There is general and omnibus allegation against the appellant. There is no eye witness to the occurrence. The appellant has been roped in the present case only on the basis of suspicion. During investigation also, no substantial evidence was collected against the appellant to connect him with the present case. The appellant is in custody since 24.03.2023. A statement has been made in para 3 of the petition that appellant has clean antecedent.

In contra, learned counsel appearing on behalf



of the informant and learned Special P.P appearing on behalf of the State have 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 01.08.2023.

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 Exclusive Special Judge, SC/ST Act, Patna in connection with Barh P.S. Case No. 182 of 2023 (Special Case (SC/ST) No. 120 of 2023.

(Sunil Kumar Panwar, J)

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