

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.857 of 2016

Arising Out of PS.Case No. -52 Year- 2016 Thana -BHAWANIPUR District- PURNIA

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1. Kore Lal Mandal Son of late Sahdeo Mandal Resident of Village-
Deruwa, P.S. Bhawanipur (Akbarpur) District Purnea

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Praveen Kumar Agrawal

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 18-11-2016

1. The appellant is aggrieved by rejection of his regular bail application by an order dated 21.09.2016 passed by the learned First Additional Sessions Judge, Purnea in Bail Petition No. 852 of 2016 arising out of Bhawanipur (Akbarpur) P.S. Case No. 52 of 2016 registered for the offences punishable under Sections 341, 323, 325, 384, 385, 504/34 of the Indian Penal Code, and Sections 3(i) (x)(xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, in the present appeal filed under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. Learned counsel appearing on behalf of the appellant has submitted that for some petty dispute relating to sell and purchase of bananas, some controversy arose

leading to lodging of the First Information Report. He has submitted that the appellant is in custody since 20.08.2016. According to him, no purpose would be served if the appellant is allowed to remain in custody any further.

3. Considering the fact that the appellant has already remained in custody for nearly three months and there is nothing on record to show that there is likelihood of his fleeing away from the course of investigation or trial, the order refusing regular bail dated 21.09.2016 passed by learned First Additional Sessions Judge, Purnea, needs interference, which is accordingly, set aside.

4. This appeal is, accordingly, allowed. Let the appellant above named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in Bhawanipur (Akbarpur) P.S. Case No. 52 of 2016.

(Chakradhari Sharan Singh, J)

ArunKumar/-c

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