

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3053 of 2017

Arising Out of P.S.Case No. -56 Year- 2017 Thana -RUPAULI District- PURNIA

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Binod Chaudhary @ Binod Mahaldar @ Binod Choudhary, Son of Taunki Mahaldar, R/o Village- Kamp, P.S.- Rupauli, District- Purnia.

.... Appellant

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Dr. Bidhu Ranjan, Adv.

For the Respondent/s : Mr. Smt Usha Kumari No-1, APP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 12-12-2017

Heard learned counsel for the parties.

This is an appeal under Sections 14-A (i) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for regular bail by the learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST Act, Purnea in connection with Rupauli (Mohanpur) P.S.Case No. 56 of 2017 registered under Sections 147, 148, 149, 341, 323, 302 and 326 of the Indian Penal Code as well as under Sections 3(I) (III) (X) of the Scheduled Castes and Scheduled Tribes Act.

The informant is eye witness of the occurrence, she has alleged that the named accused person and some unknown persons had bitterly assaulted and committed murder of the mother-in-law of the informant on pretext that



the mother-in-law was a witch.

Submission of the learned counsel for the appellant is that during investigation, one witness has stated that the appellant was also present at the place of occurrence.

Considering the aforesaid weak material against the appellant, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Special SC/ST Case No. 33 of 2017 arising out of Rupauli (Mohanpur) P.S.Case No.56 of 2017, subject to the condition that the appellant shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

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

(Birendra Kumar, J)

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