

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2761 of 2017

Arising Out of PS.Case No. -18 Year- 2017 Thana -SC/ST District- VAISHALI(HAJIPUR)

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1. Mantu Mahto S/o Ruplal Mahto resident of Village - Kuaria, P.O. - Jaitipur, P.S. - Lalganj, District - Vaishali.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Prakash Chandra Jha

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 06-11-2017 Heard the parties.

The appellant seeks regular bail in connection with S.C./S.t. Hazipur P.S.Case No.18 of 2017 registered for offences punishable under Sections 448, 341, 323, 504, 427, 436, 354/34 of the Indian Penal Code and Section 3(1)®, 3 (i)(s), 3(2)(iii) and 3(2)(v)(a) of SC/ST (Prevention of Atrocities Act) Act.

There is allegation against the appellant and other co-accused persons of setting the house on fire.

Submission of the learned counsel for the appellant is that he has been falsely implicated in this case and no specific allegation has been attributed against him, moreover now he is in custody for more than three months.

Heard learned Special P.P. also.

Having heard both sides in view of the above facts and circumstances, this appeal is allowed.



Let the appellant above named, be released on bail on furnishing bail bonds of Rs.25,000 (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Addl. Sessions Judge-I-cum-Special Judge, Vaishali at Hazipur in connection with Vaishali (Town) SC/ST P.S.Case No.18 of 2017 after setting aside order dated 10.8.2017 passed in SC/ST P.S.Case No.18 of 2017 passed by the learned Addl. Sessions Judge-I-cum-Special Judge, Vaishali at Hajipur, subject to the following conditions:-

- (i) One of the bailors of the appellant shall be local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellant will not induce any witness or tamper with the evidence.
- (iii) The appellant shall co-operate in the disposal of trial and make himself available as and when required by the court concerned and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution will be free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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