

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.502 of 2017

Arising Out of PS.Case No. -51 Year- 2016 Thana -SC/ST District- ARRARIA

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1. Mantosh Kumar, Son of Raj Bansh Mishra, Resident of Village-
Reshma, Police Station- Gwalpara, District- Madhepura.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Shailendra Kumar Singh

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 03-07-2017 The appellant seeks regular bail in connection with

SC/ST Araria P.S. Case No. 51 of 2016, registered for offences

punishable under Sections 420, 406, 409/34 of Indian Penal Code

and Section 3(1)(r) of SC/ST (POA) Act.

It has been submitted on behalf of the appellant that no
allegation attracting the provisions of SC/ST Act is made out
against the appellant rather only allegation as per F.I.R against the
appellant that he in collusion with others got Rs. 7,00,000/-
credited in the account of the informant and asked him to credit
the same in the account of one Rajeev Tahkur @ Gopal, however,
no such occurrence has taken place and the informant has filed the
present case only to save the skin of her husband against the case
filed by the appellant. It has further been submitted hat for the



defalcation of the above said amount, already a case has been lodged against the appellant, in which appellant has already been granted bail by this Court vide order dated 27.01.2017, passed in Criminal Miscellaneous No. 377 of 2017.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, this appeal is allowed, let the appellant above named, in the event of his arrest or surrender before the Court below be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with SC/ST Araria P.S. Case No. 51 of 2016, subject to the conditions laid down under Section 438 Cr.P.C.

- (i) One of the bailors of the appellant shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellant shall cooperate in the investigation and make himself available as and when required by the police and on the event of failure on his part to appear before



the police on two consecutive dates without showing any genuine reasons, the prosecution will be free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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