

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3069 of 2017

Arising Out of PS.Case No. -168 Year- 2017 Thana -ITADHI District- BUXAR

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Manoj Mahto Son of Chatu Mahto, R/o Village- Rupaspur, p.S.- Nava
nagar, District- Buxar.

.... Appellant

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Ajit Kumar, Adv.

For the Respondent/s : Mr. Binay Krishna, SPP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 19-12-2017

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by the learned Additional Sessions Judge, 1st -cum- Special Judge, SC/ST Act in connection with Itarhi P.S.Case No. 168 of 2017 (SC/ST Case No. 260 of 2017) registered under Sections 302/34 of the Indian Penal Code as well as under Sections 3 (2)(va) of the Scheduled Castes and Scheduled Tribes Act.

The appellant and others are suspected to have committed murder of Manjhi Paswan for the reason that the appellant and others had threatened to finish the family of the informant for the reason that the informant and his



family was not returning the money advanced by the appellant.

Considering the fact that the bar under Section 18 of the SC/ST Act is not attracted from perusal of the allegation and also considering the fact that only suspicion is there against the appellant.

Hence, let the appellant, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on anticipatory 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 Itarhi P.S.Case No. 168 of 2017 (SC/ST Case No. 260 of 2017), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellant shall fully cooperate with the investigation/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.

(Birendra Kumar, J)

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