

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.327 of 2017

Arising Out of PS.Case No. -177 Year- 2015 Thana -GOPALPUR District- BHAGALPUR

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Amarjeet Mandal @ Amarjeet Kumar Mandal, Son of Late Suresh Mandal,
Resident of Village – Simriya, Tentenga Diyra, Police Station - Gopalpur,
(Rangra) at present resident of Village:- Abhiya, Police Station – Gopalpur,
District – Bhagalpur.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Rajesh Kumar

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 16-05-2017 Present appeal has been preferred by the appellant under

Section 14A(2) of the Scheduled Castes/Scheduled Tribes
(Prevention of Atrocities) Act, for grant of regular bail in
connection with Gopalpur P.S. Case No. 177/2015, for the
offences punishable under Sections 147, 148, 149, 452, 307, 302,
323, 325, 436, 379, 341 and 342 Indian Penal Code and Section
3(2)(v)(xi) of SC/ST (Prevention of Atrocities) Act.

Allegation against the appellant that he along with
several others abused the informant and his family members and
assaulted his sons and also demolished the house of the informant.

It has been submitted on behalf of the appellant that even
from perusal of entire F.I.R, no case under the above mentioned
Sections of Indian Penal Code as well as SC/ST (Prevention of
Atrocities) Act, is made out against the appellant. No specific



allegation of any overt act has been attributed to him and at best be said to be a member of mob only. Further appellant has been in judicial custody since 01.08.2016

Learned Special Public Prosecutor also could not controvert the above submissions of learned counsel for the appellant.

Having heard both sides, considering the fact and circumstances of the case, nature of allegation and also that petitioner has been in custody since 01.08.2016, this appeal is allowed, appellant, Amarjeet Mandal @ Amarjeet Kumar Mandal, is directed to be released on regular bail on furnishing bail bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Naugachia, District – Bhagalpur, in connection with Gopalpur P.S. Case No. 177/2015, after setting aside the order 23.08.2016, passed by learned 1st Additional District & Sessions Judge, Naugachia.

(Vinod Kumar Sinha, J)

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