

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.693 of 2017

Arising Out of PS.Case No. -53 Year- 2016 Thana -RATANPURA District- SUPAUL

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1. Ramesh Mehta, Son of Late Deo Naraian Mehta, Resident of Village-
Bhagwanpur, Police Station- Ratanpura, District- Supaul.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Arun

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 15-05-2017 By way of this memo of appeal, preferred under Section 14A(2) of the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities)Act, appellant seeks for setting aside the order dated 30.01.2017, passed by learned Additional Sessions Judge-I, Supaul in Ratanpura P.S. Case No. 53 of 2016 for the offences punishable under Sections 341, 323, 307, 436, 378, 504 and 506 Indian Penal Code and Section 3(i)(x)(xi) of SC/ST. Act, by which the appellant's application for regular bail has been rejected.

Allegation as per F.I.R is that appellant along with other co-accused came to the house of the informant, co-accused set the house of the informant on fire and when brother and mother of the informant came for rescue, appellant assaulted brother of the informant by spade causing injury on his head.

It has been submitted on behalf of the appellant that though there is allegation of assault by the informant, however,



injury caused by the said assault was found to be simple in nature. Further there is no allegation of calling anyone by their caste name as such no offence is made out against the appellant under Section 3(i)(x)(xi) of SC/ST and appellant has been in judicial custody since 02.12.2016.

Heard learned Special Public Prosecutor also.

Having heard both sides, considering the facts and circumstances of the case, nature of offence and also the appellant has remained in judicial custody for about five months as such, the appellant, namely, Ramesh Mehta, is directed to be released on bail on furnishing bail bond of Rs. 25,000 (Twenty Five Thousand) with two sureties of like amount each to the satisfaction of learned SDJM, Birpur (Supaul) in connection with Ratanpura P.S. Case No. 53 of 2016, after setting aside the order dated 30.01.2017, passed by learned Additional Sessions Judge-I, Supaul

Accordingly, this appeal is allowed.

(Vinod Kumar Sinha, J)

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