

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1462 of 2017

Arising Out of PS.Case No. -64 Year- 2016 Thana -CHARIABARIYARPUR
District- BEGUSARAI

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Gopal Mahto, Son of Ayodhi Mahto, Resident of Village-
Khumbhi, P.S.- Cheriya Bariarpur, District- Begusarai.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Pritish Kumar Lal

For the Respondent/s : Mrs. Usha Kumari, No.-1

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 12-06-2017 Heard the parties.

The present appeal, under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Act, 1989 (*hereinafter referred to as the SC/ST Act*), has been preferred against an order, dated 30.03.2017, passed by the learned Special Judge, SC/ST (POA) Act, Begusarai, in connection with Cheriabariarpur P.S. Case No. 64 of 2016, disclosing offences punishable under Sections 302, 387, 120B read with Section 34 of the Indian Penal Code and Section 3(2) (v) of the SC/ST



Act, whereby, his application for grant of regular bail has been rejected.

The appellant was not named in the First Information Report. His name cropped up mainly on the basis of confessional statement of one Dhiraj Kumar, who was apprehended by the police.

Learned counsel, appearing on behalf of the appellant, has drawn my attention to an order of this Court, dated 04.02.2017, passed in Cr. Appeal (SJ) No. 1118 of 2016, whereby, said Dhiraj Kumar has been directed to be released on bail after setting aside the order passed by the Special Court.

Considering the aforesaid facts and circumstances of the case and the submission so advanced on behalf of the appellant, the impugned order, dated 30.03.2017, is set-aside.

Let the appellant, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned Special Judge, SC/ST (POA) Act, Begusarai**, in connection with **Cheriabariarpur P.S. Case No. 64 of 2016**.

This is subject to the condition that the appellant shall present himself before the police/Court, as



the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

This application is, accordingly, allowed.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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