

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2734 of 2017

Arising Out of PS.Case No. -71 Year- 2017 Thana -GWALPARA District- MADHEPURA

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Ratandeo Mahto S/o Late Pannalal Mahto Resident of village - Beergaon,
P.S. Gwalpara, District - Madhepura.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Nafisuzzoha

For the Respondent/s : Mr. Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

5 06-12-2017 The appellant has challenged the order dated 06.07.2017 passed by the learned Special Judge, SC/ST Act, Madhepura in connection with H.A. Case No. 134 of 2017, arising out of Gwalpara (Arar O.P.) P.S. Case No. 71 of 2017 instituted for the offences under Sections 302 and 34 of the Indian Penal Code and under Sections 3(X)(XI) of the SC/ST (Prevention of Atrocities) Act whereby his prayer for being released on bail has been rejected.

Pursuant to a fight between two children of the locality, one Sudish Kumar was caught hold of by a co-accused Mangal Mahto and was brought to his house. There, when Sudish Kumar was being assaulted, he cried for help. For the rescue of the aforesaid Sudish Kumar, many persons including the informant



and the deceased arrived, who too were assaulted by the accused persons including the appellant.

It has been submitted that but for general and omnibus statement regarding all accused persons that they assaulted the informant and one Upendra Rishideo, nothing specific has been alleged against the appellant. Upendra Rishideo, in the course of treatment for the injuries suffered by him, died.

The appellant is in custody since 03.06.2017.

Regard being had to the aforesaid facts, this Court deems it appropriate to set aside the order dated 06.07.2017.

In the facts and circumstances, the appellant above named is directed to be released on bail on his furnishing bail bond in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 1st, Madhepura-cum-Special Judge SC/ST Act, Madhepura in connection with H.A. Case No. 134 of 2017, arising out of Gwalpara (Arar O.P.) P.S. Case No. 71 of 2017.

(Ashutosh Kumar, J)

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