

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.230 of 2018

Arising Out of PS.Case No. -75 Year- 2017 Thana -RAJPUR District- BUXAR

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1. Mantosh Tiwari @ Mantosh Tiwary S/o Late Lalan Tiwari, R/o Village-Kheri, P.S.- Rajpur, District- Buxar.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Rajeev Ranjan, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 04-04-2018

Heard learned counsel for the parties.

The appeal is barred by limitation of 34 days. The delay is explained in the I.A.No.752 of 2018, an application under Section 5 of the Limitation Act. Hence, the delay in filing of appeal is condoned.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail by the learned Additional Sessions Judge-1st, Buxar, in connection with Rajpur Police Station Case No.75 of 2017 corresponding to SC/ST Case No.156 of 2017 registered under Sections 302/34 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(2)(V)(a)(b) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.



The FIR would reveal that only assailant is co-accused Santosh Tiwary.

The appellant is in custody since 03.05.2017. Investigation of the case is already complete.

Considering the aforesaid fact, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with the aforesaid case, with condition that the appellant shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

Accordingly, the appeal stands allowed.

(Birendra Kumar, J)

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