

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2237 of 2018

Arising Out of PS.Case No. -34 Year- 2017 Thana -BARIYARPUR District- MUNGER

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1. Nandlal Mandal, S/o Late Mahadeo Mandal,
2. Kanhai Mandal @ Kanhaiya Kumar @ Kanhai Kumar Mandal, S/o Nandlal
Mandal, Both the Resident of Village- Ghorghat, P.S.- Bariarpur, District- Munger.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Madhwendra Kumar, Adv
: Mrs. Rubi Rani, Adv.
For the Respondent/s : Mrs. Usha Kumari No.1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 02-07-2018

Heard learned counsel for the parties.

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 order dated 30.05.2018 by the learned Additional Sessions Judge-I-cum-Special Judge (S.C./S.T. Act), Munger, in connection with Bariyarpur Police Station Case No.34 of 2017, corresponding to G.R.No.695A of 2017 registered under Sections 147, 148, 149, 323, 324, 325, 307, 302, 448, 504, 506 of the Indian Penal Code and Section 3(1)(X) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Considering the general and omnibus nature of



commission of assault which resulted in death, co-accused-
Bambam Rajak has already been allowed bail by a Coordinate
Bench of this Court vide Annexure-4 series.

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 both bailors shall be resident of territorial
jurisdiction of the learned court below and further the appellant
shall fully cooperate with the investigation/trial of the case,
failing which the court below shall be at liberty to cancel the bail
bond of the appellant.

Accordingly, the impugned order is set aside and
this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	03.07.2018
Transmission Date	03.07.2018

