

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2532 of 2018

Arising Out of PS.Case No. -46 Year- 2018 Thana -BHAGALPUR RAIL P.S. District-
BHAGALPUR

=====

Ashok Mandal @ Ashok Kumar, Son of Late Gore Lal Mandal, resident of Mohalla

Purani Durga Asthan Sultanganj, P.S. Sultanganj, District Bhagalpur

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 20-07-2018

Heard learned counsel for the parties.

This is an appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail vide order dated 14.06.2018 in (G.R. P.S.) Rail Bhagalpur P.S. Case No. 46 of 2018 passed by the learned 3rd Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Bhagalpur in connection with the aforesaid case registered under Sections 341, 324, 307, 302/34 of the Indian Penal Code, Section 27 of the Arms Act as well as Sections 3(ii)(v) of the SC/ST Act.

The informant is eye-witness of the occurrence. The assailants of the husband of the informant are named in the FIR. Appellant is not named in the FIR. However, the husband of the



informant in his statement before the police stated that the appellant was also there.

Learned Special Public Prosecutor opposed the prayer for bail.

Considering the aforesaid material against the appellant, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with the aforesaid case, subject to the condition that 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 as well as condition that both the bailors shall be resident of within the territorial jurisdiction of the learned court below.

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

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
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