

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2564 of 2018

Arising Out of PS.Case No. -null Year- null Thana -null District- NAWADA

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1. Masudan Mahto @ Masudan Prasad, Son of Ganesh Mahto, resident of Village- Sachaul, Police Station- Hisua in the District of Nawada.

.... Appellant/s

Versus

1. 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 26.06.2018 in Spl. (H) Case No. 568 of 2017 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Nawada in connection with Hisua P.S. Case No. 235 of 2016 registered under Sections 147, 341, 323, 307, 504, 302 of the Indian Penal Code as well as Sections 3(i)(r) of the SC/ST Act.

There is general and omnibus allegation against altogether six persons including the appellants of commission of abuse and assault which caused death of the wife of the informant in course of treatment.



Learned Special Public Prosecutor opposed the prayer for bail.

Considering the general and omnibus nature of allegation, 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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