

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3521 of 2017

Arising Out of PS.Case No. -64 Year- 2016 Thana -CHARIABARIYARPUR District-
BEGUSARAI

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1. Mukesh Mahto, Son of Jay Prakash Mahto, Resident of Village- Kumbhi,
P.S.- Cheriya Bariyarpur, District- Begusarai.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sada Nand Roy

For the Respondent/s : Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 20-03-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail by the learned Special Judge (S.C./S.T.), Begusarai in Cheria Bariyarpur P.S. Case No. 64 of 2016 registered under Sections 302, 387, 120B/34 of the Indian Penal Code, Section 27 of the Arms Act as well as Section 3(2)(v) of the SC/ST Act.

According to FIR, ransom was demanded by the appellant from jail custody on a mobile call.

Submission of the learned counsel for the appellant is that the referred mobile is not of the appellant nor there is any material collected during investigation that the caller



on mobile phone was the appellant. Appellant is in custody since 23.08.2016. Only material against the appellant is past criminal cases disclosed in para 3 of the petition.

The report of the trial Judge would reveal that even charges have not been framed up-till-now. Appellant is ready to cooperate with the trial.

Hence, 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 and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

Accordingly, this appeal stands allowed.

(Birendra Kumar, J)

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