

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3569 of 2018

Arising Out of PS.Case No. -76 Year- 2009 Thana -KAHALGAON District- BHAGALPUR

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1. Karka Mandal @ Karelal Mandal @ Kahara Mandal S/o Late Prasadi Mandal,
R/o Vill.- Athgawan , P.S.- Ghogha, District- Bhagalpur.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Vivekanand Vivek, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 24-09-2018

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 vide order dated 17.07.2018 passed by the learned 3rd Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Bhagalpur, in connection with Kahalgaon Police Station Case No.76 of 2009 (G.R. No.473 of 2009, registered under Sections 341/323/504/506/34 of the Indian Penal Code and Section 3(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

This is a case of misuse of privilege of bail. Offences of the Indian Penal Code alleged are bailable.



Hence, 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 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 appeal is allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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