

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1202 of 2018

Arising Out of PS.Case No. -304 Year- 2017 Thana -BANMANKHI District- PURNIA

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1. Chandan Mandal, son of Late Sukhdeo Mandal, Resident of Village-
Dhokardhara, Police Station- Banmankhi, District- Purnea.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Shailesh Kumar Singh

For the Respondent/s : Mr. Sadanand Paswan, SPP 246

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 11-05-2018

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, against refusal of the prayer for anticipatory bail by the learned 1st Additional District & Sessions Judge- cum- Special Judge, SC/ST, Purnea in connection with Purnea SC/ST P.S. Case No. 352/2017, arising out of Banmankhi P.S. Case No. 304 of 2017 registered under Sections 341, 323 and 427/34 of the Indian Penal Code as well as Sections 3(v)(x) of the SC/ST Act.

F.I.R. would reveal that due to land dispute, the appellants, allegedly, committed abuse and assault.

I find substance in the submission of the learned counsel



for the appellant that the offences under the provisions of the SC/ST Act are not attracted, hence, let the appellant, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, 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 the learned court below where the case is pending in connection with the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as 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, the impugned order is set aside and the appeal stands allowed.

(Birendra Kumar, J.)

Rakhi

AFR/NAFR	
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