

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3576 of 2017

Arising Out of PS.Case No. -247 Year- 2017 Thana -RAHUI District- NALANDA
(BIHARSHARIFF)

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Manoj Kumar @ Manoj Mahto @ Manoj Prasad, Son of Krishan Mahto,
Resident of Village- Murgichak, P.S.- Wena, District- Nalanda.

.... Appellant

Versus

The State of Bihar.

.... Respondent

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Appearance :

For the Appellant/s : Mr. Rajiv Nayan, Adv.

For the Respondent/s : Mr. Smt Usha Kumari No-1, SPP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 02-02-2018

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 by the learned 1st Additional Sessions Judge-cum-Special Judge, Nalanda at Biharsharif, in connection with Rahui(Wena) Police Station Case No.247 of 2017 registered under Sections 147,148,149,341,323,379/302,504 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(i)(s) and 3(2)(vA) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The allegation of murderous assault is against other named accused persons and not against the appellant.

Submission is that co-accused Sujit Prasad @



Sujit Kumar against whom, there is allegation of assault, has already been allowed bail by this Court after perusal of the case diary which revealed that the deceased had not named anyone when he reached at the police station rather the FIR was lodged after death of Radhey Paswan.

Considering the aforesaid fact, 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 appeal stands allowed and the impugned order is aside.

(Birendra Kumar, J)

Nitesh/-

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