

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.774 of 2018

Arising Out of PS.Case No. -68 Year- 2016 Thana -KANHAULI District- SITAMARHI

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1. Khublal Mahto S/o Fakeer Chand Mahto @ Fakir Chandra Mahto, R/o
Village- Basahiya, P.S.- Kanhauli, District- Sitamarhi.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ashhar Mustafa, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 04-04-2018

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 Special Judge (S.C./S.T. Act)-cum-A.D.J.-I, Sitamarhi, in connection with Kanhauli Police Station Case No.68 of 2016 registered under Sections 302, 201, 120(B), 34 of the Indian Penal Code and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The only material against the appellant in the FIR is suspicion. The impugned order would reveal that the case diary also revealed that there is suspicion only against the appellant.



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 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.

(Birendra Kumar, J)

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