

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2377 of 2018

Arising Out of PS.Case No. -11 Year- 2017 Thana -SC/ST District- SAHARSA

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1. Pappu Kumar Mahto @ Pappu Mahto, Son of Balram Mahto, Resident of Village- Baltora, P.S.- Sour Bazar (O.P. Patarghat), District- Saharsa.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sameer Ranjan, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 13-07-2018

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 order dated 31.05.2018 by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Saharsa, in connection with Saharsa SC/ST Police Station Case No.11 of 2017 registered under Sections 147, 149, 341, 323, 307, 379, 354, 504, 506 of the Indian Penal Code, Section 27 of the Arms Act and Section 3((i)(r)(s)(u)(w)(i) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The allegation is general and omnibus against 13 named accused persons of commission of assault etc. Appellant



is in custody since 21.05.2018. Allegation in the FIR is against two accused persons including the appellant is of commission of injury at the head of the informant. However, the Doctor has found single injury.

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 both bailors shall be resident of territorial jurisdiction of the learned court below and further 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 this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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