

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.719 of 2018

Arising Out of PS.Case No. -31 Year- 2017 Thana -KUNALI District- SUPAUL

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1. Chit Narayan Mehta, Son of Late Devsunder Mehta, resident of Village-
Sikarhatta, P.S.- Kunauli, (Dagmara O.P.), District- Supaul.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Pramod Mishra

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 10-04-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail by the learned 1st Additional Sessions Judge, Supaul in Kunauli P.S. Case No. 31 of 2017 registered under Sections 147, 149, 341, 323, 379, 467, 468, 504, 506 of the Indian Penal Code as well as Sections 3(i)(r)(s) of the SC/ST Act.

The allegation of commission of abuse by taking caste name of the informant is specific against Ram Narayan Mehta, the full-brother of this appellant. There is no such specific allegation against the appellant.

Learned Special Public Prosecutor has opposed the



prayer for bail.

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 this appeal stands allowed.

(Birendra Kumar, J)

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