

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3403 of 2017

Arising Out of PS.Case No. -15 Year- 2017 Thana -NAUGACHIA District- BHAGALPUR

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Nandan @ Abhinandan Mehta son of Bindeshwari Mehta resident of village
- Singh Kund Azadnagar, P.S. - Navgachiya, District - Bhagalpur.

.... Appellant

Versus

The State of Bihar.

.... Respondent

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Appearance :

For the Appellant/s : Mr. Swapnil Kumar Singh, 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 01-02-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail by the learned 2nd Additional District & Sessions Judge-cum-Special Judge (S.C./S.T. Act), Bhagalpur, in connection with Naugachiya Police Station Case No.15 of 2017 registered under Sections 147/148/149/341/302/504/506 of the Indian Penal Code and Section 3/4 of Witch Craft Act and Section 27 of Arms Act and Section 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

According to FIR, when the dead body of the wife of the informant was noticed, he suspected that the appellant and



other might have committed as they were suspecting and alleging her to be a witch.

Submission of the learned counsel for the appellant is that there is no eye witness of the occurrence before the police. Appellant has got no criminal antecedent.

Considering the fact that only material is suspicion against the appellant, 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 Naugachiya Police Station Case No.15 of 2017, 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 set aside.

(Birendra Kumar, J)

Nitesh/-

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