

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1527 of 2018

Arising Out of PS.Case No. -44 Year- 2013 Thana -LAUKHA District- MADHUBANI

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1. Lalu Manjhi @ Bharat Manjhi @ Bharat Kumar Manthi, son of Sri Sumindar Manjhi @ Samundra Kumar Manjhi, resident of Chaturbhuj Piprahi, P.S. Laukaha, District Madhubani.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 29-05-2018

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 regular bail by the learned 1st Additional Sessions Judge, Madhubani (Special Judge, S.C./S.T.), in Laukaha P.S. Case No. 44 of 2013 registered under Sections 279, 337, 338, 302, 201/34 of the Indian Penal Code as well as Section 3(viii)(x) of the SC/ST Act.

The father of the informant had gone on a motorcycle along with co-accused Amrendra Mahatman. The FIR would reveal that the said motorcycle, allegedly, met with a road accident, though it was a case of murder of the father of the informant. Amrendra



Mahatman fled away and the dead body of the father of the informant was recovered from beneath the pull (bridge) near the place of occurrence. Amrendra Mahatman faced trial which resulted in acquittal. Name of the appellant had surfaced during investigation of the case as co-culprit without any witness of the occurrence.

Learned Special Public Prosecutor has opposed the prayer for bail.

Hence, let the appellant, above named, 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 learned Court below where the case is pending in connection with the aforesaid case, subject to the 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)

Kundan/Sanjeev

AFR/NAFR	N.A.
CAV DATE	N.A.
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