

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3229 of 2017

Arising Out of PS.Case No. -54 Year- 2017 Thana -BHIMPUR District- SUPAUL

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1. Ramprit Mandal, S/o Makhan Mandal, resident of Village- Bhimpur,
P.S.- Bhimpur, District- Supaul.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Vijay Kumar

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 11-01-2018

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-cum-Special Judge (S.C./S.T.), Supaul in SC/ST Case No. 175 of 2017 arising out of Bhimpur P.S. Case No. 54 of 2017 registered under Sections 147, 149, 323, 341, 504, 506, 353, 332, 333 of the Indian Penal Code as well as Section 3(1)(r)(s)3(2)(va) of the SC/ST Act.

An accused of different occurrence was arrested by the police. In protest against his arrest without warrant, the appellant along with several female numbering 50 to 60 entered the Thana premise and committed abuse and assault.

Submission of the learned counsel for the



appellant is that offence under the provisions of the SC/ST Act is not attracted as there is no mention of the name of caste which the appellant, allegedly, took. Moreover, the background of the allegation does not reveal that the appellant was intending to humiliate the informant for his being a member of the Scheduled Caste.

Considering the aforesaid fact, 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, this appeal stands allowed.

(Birendra Kumar, J)

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