

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2979 of 2018

Arising Out of PS.Case No. -null Year- null Thana -null District- SAMASTIPUR

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1. Umesh Mahto son of Late Jageshwar Mahto resident of Village- Dhatta @
Dahhta, P.S. Rosera, District- Samastipur.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sabal Kumar Jha, Advocate

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 18-09-2018

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 vide order dated 13.07.2018 passed by the learned Special Judge (S.C./S.T. Act), Samastipur, in T.R. No.809 of 2018, arising out of Rosera Police Station Case No.94 of 2018, registered under Sections 302/201/379/34 of the Indian Penal Code and Sections 3(i)(w)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The appellant is under suspicion to have committed murder of the Bhabhi of the informant for the reason that he was in talking term with the deceased. The impugned order, which was



passed after perusal of the case-diary, does not disclose that any other material was there against the appellant.

Considering the fact that only material against the appellant is suspicion, 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 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 appeal is allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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