

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1875 of 2018

Arising Out of PS.Case No. -25 Year- 2018 Thana -JANKINAGAR District- PURNIA

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1. Mannu Kumar @ Mangal @ Mangala Yadav S/o Sri Ashok Kumar Yadav, R/o Vill.- Jankinagar, P.S.- Jankinagar, District- Purnea.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Amit Kumar Anand, Adv

For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 02-07-2018

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 by order dated 18.04.2018 by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Purnea, in connection with Special SC/ST Case No.38 of 2018 arising out of Jankinagar Police Station Case No.25 of 2018 registered under Sections 302 and 120B of the Indian Penal Code, Section 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Section 27 of Arms Act.

The allegation of commission of firearm injury which resulted in death is against co-accused Md. Mojib and



Amrendra Yadav as well as Md. Ajmer. Allegation against the appellant and others is of surrounding the deceased at the time of firing.

Considering the nature of allegation as well as period already undergone by the appellant, who is in custody since 25.03.2018 and completion of investigation, in my view, the appellant deserves bail, accordingly, 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 both bailors shall be resident of territorial jurisdiction of the learned court below and further 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.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
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