

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.733 of 2018

Arising Out of PS.Case No. -240 Year- 2016 Thana -CHHATAPUR District- SUPAUL

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1. Jai Kumar Mandal @ Jay Kumar Mandal, S/o Ram Kushore Mandal,
Resident of Village- Beriya, P.S.- Chhatapur, District- Supaul.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Kamal Kishore Singh

For the Respondent/s : Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 10-04-2018

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 anticipatory bail by the learned 1st Additional Sessions Judge, Supaul in Chhatapur P.S. Case No. 240 of 2016 registered under Sections 341, 323, 324, 307, 354, 504, 506, 427/34 of the Indian Penal Code as well as Sections 3(i)(x) of the SC/ST Act.

According to FIR, the duck of this appellant was damaging the crop of the informant. When the informant forbade, the appellant allegedly abused and assaulted. There is counter case also.

Learned Special Public Prosecutor has opposed the



prayer for bail.

Considering the background of allegation and case and counter case between the parties, in my view, the appellant deserves anticipatory bail, hence, let the appellant, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, 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 the learned court below where the case is pending in connection with the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as 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)

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