

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1384 of 2018

Arising Out of PS.Case No. -436 Year- 2016 Thana -MUZAFFARPUR SADAR District-
MUZAFFARPUR

=====

Umesh Paswan, S/o Gangajal Paswan, Resident of Village-Manjhouliya Dumri,
P.S.-Sadar, District-Muazaffarpur.

.... Appellant/s

Versus

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: 25-06-2018

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 “ S.C/S.T Act”) against the refusal of prayer for regular bail by the learned 10th Additional Sessions Judge-cum-Special Judge, S.C./S.T. (POA) Act, Muzaffarpur, in G.R. Case No.436 of 2016, arising out of Sadar P.S. Case No.436 of 2016, registered under Sections 147, 148, 149, 448, 341, 323, 342, 325, 326, 337, 307, 379, 302, 120(B) of the Indian Penal Code as well as under Sections 3(i)(x) of the S.C./S.T. Act.

The specific allegation against the appellant is of commission of assault with sharp cutting weapon at the back of the



head. The Doctor has recorded sharp cut injury at the left side of the head. Besides other injuries are alleged against other named persons.

Submission is that appellant is in custody since 17.08.2016. In fact, the informant is not an eyewitness of the occurrence. Concocted allegation is there against 18 accused persons.

Considering the nature of allegation and the period already undergone, 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 10th Additional Sessions Judge-cum-Special Judge, S.C./S.T. (POA) Act, Muzaffarpur, in G.R. Case No.436 of 2016, arising out of Sadar P.S. Case No.436 of 2016, subject to the condition that the appellant shall fully co-operate 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)

AnilKrSinha/
Abhishek

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

