

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1960 of 2018

Arising Out of PS. Case No.-246 Year-2017 Thana- GOPALPUR District- Bhagalpur

Mitthu Sah @ Mithilesh Sah @ Mithlesh Sah, S/o Shambhu Sah, Resident of
Village- Bhawanipur Nayatola, P.S.- (Rangra), Gopalpur, District- Bhagalpur.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Binod Kumar

For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 06-09-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A) 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 vide order dated 04.05.2018 passed by the learned Special Judge SC/ST Act, Bhagalpur in Gopalpur (Rangara) Police Station Case No.246 of 2017 registered under Sections 307/34 of the Indian Penal Code and 27 of the Arms Act as well as Section 3(i)(x)(g) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The appellant allegedly fired causing injury at the chin of the informant. The occurrence took place for land dispute. The Doctor has found identical injuries. The appellant is in custody



since 27.03.2018. The appellant has stated on oath that he has got no criminal antecedent.

Considering the entire facts of this case, let the appellant, above named, be released on bail *on completion of nine months of custody or framing of the charge, whichever is earlier* 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/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)

abhishek/-

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Uploading Date	
Transmission Date	

