

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.120 of 2018

Arising Out of PS.Case No. -159 Year- 2016 Thana -KURSELA District- KATIHAR

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1. Bhairu Mandal @ Bhadani Mandal @ Bhaddi Mandal, Son of Late
Sitaram Mandal @ Sito Mandal, Resident of Village- Gandhi Gram,
Bind Toli, P.S.- Kursela, District- Katihar.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Harish Chandra Patel, Advocate

For the Respondent/s : Smt Usha Kumari No-1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 09-02-2018

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 the learned Additional Sessions Judge 1st -cum-Special Judge, Katihar, in connection with Kursela Police Station Case No.159 of 2016 registered under Section 364/34 of the Indian Penal Code and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. Subsequently, offence under Sections 366/302/201/34 of the Indian Penal Code was added.

The F.I.R. of the occurrence of kidnapping and murder is against unknown. After four months of occurrence the informant raised suspicion against the appellant.



Considering the aforesaid submission as well as the fact that similarly situated co-accused Bipin Yadav has been allowed bail by this Court, 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 appeal stands allowed.

(Birendra Kumar, J)

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