

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4480 of 2018

Arising Out of PS. Case No.-65 Year-2017 Thana- AMARPUR District- Banka

Nunu Bhagat @ Balendu Kumar, Son of Lamodar Bhagat @ Lambodar Bhagat, Resident of Village-Amarpur, Police Station-Amarpur, Distt.-Banka

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Praveen Kumar
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 20-12-2018

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 regular bail vide order dated 16.11.2018 passed by the learned Additional Sessions Judge-I-cum-Special Judge S.C./S.T. Act, Banka in Amarpur Police Station Case No.65 of 2017 registered under Sections 302, 147, 148, 149 of the Indian Penal Code and Sections 3 (2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The F.I.R. would reveal that suspicion is against the appellant and others to have committed murder of the husband of the informant.



Learned counsel for the appellant submits that co-accused, *Bikash Mandal @ Rabindra Kumar Mandal @ Rabindra Mandal* and *Bablu Modi @ Sanjeev Kumar Das* have already been allowed bail by a co-ordinate Bench of this Court as well as by this Court, vide *Annexures 2 and 3*, respectively.

Considering the similarity of the allegation against the appellant, 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 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/-

AFR/NAFR	NAFR
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