

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1068 of 2019**

Arising Out of PS. Case No.-292 Year-2018 Thana- KORHA District- Katihar

Sanjay Mandal @ Birendra Kumar Son of Late Ramdeo Mandal Resident of
Village - Bandh Tola, Bhatwara, PS- Kohra, Distt - Katihar.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Bipin Kumar

For the Respondent/s : Mr.Sadanand Paswan

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT**

Date : 28-03-2019

This is an appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer of anticipatory bail dated 24.01.2019 passed by the learned 1st Addl. Sessions Judge-cum-Special Judge, SC/ST Act, Katihar in ABP No. 17 of 2019 arising out of Kohra P.S.Case No. 292 of 2018 registered under Sections 323, 354B and 379/34 of the Indian penal Code and Sections 3(i) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellant is that he thrashed the complainant on the ground, assaulted by fists and slaps and abused her and other accused persons came there and they also assaulted her and snatched silver chain of worth Rs. 24,00/-.

Submission of learned counsel for the appellant is that



earlier to that, a Sanha has been lodged by the appellant which has been mentioned in para 10 of the petition and after enquiry, a proceeding under Section 107 of Cr.P.C. was also initiated in between the parties and there is delay in lodging the FIR.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellant, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions Judge-cum-Special Judge, SC/ST Act, Katihar in ABP No. 17 of 2019 arising out of Kohra P.S.Case No. 292 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

Accordingly, the appeal is allowed and the impugned order is set aside with respect to him.

(Vinod Kumar Sinha, J)

sujit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	

