

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1089 of 2019

Arising Out of PS. Case No.-212 Year-2015 Thana- CHANDAUTI District- Gaya

Munna Pandit @ Subodh Dubey Son of Shatrughan Dubey @ Nanhak Pandey
R/o Village- Bhikhanpur, P.S.- Chandauti (Chakand), District- Gaya.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ashok Kumar Jha
For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL JUDGMENT

Date : 26-04-2019

Heard learned counsel for the appellant and
learned Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act against the refusal of prayer for bail vide order
dated 01.03.2019 passed by learned Special Judge (SC/ST
Court), Gaya in Chandauti (Chakand) P.S. Case No. 212 of 2015
registered under Sections 341, 323, 307, 504 and 506 of the
Indian Penal Code and Section 3(i)(x) of the Scheduled Castes
and Scheduled Tribes (Prevention of Atrocities) Act.

Appellant and son of Sakaldeo Tiwari are said to
have slated the informant in the name of his caste and slapped
him. When Pachu Paswan rushed in his rescue, Rabindra Singh



and Nanhak Pandey assaulted him by means of rod which proved fatal.

It is submitted by learned counsel for the appellant that the appellant has been falsely implicated in the case. He has no concern with the aforesaid occurrence. The allegation levelled against the appellant is not specific rather general and omnibus in nature. Moreover, he does not happen to be assailant of the deceased Pachu Paswan rather the assailants are Rabindra Singh and Nanhak Pandey. Appellant has no criminal antecedent and has been languishing in custody since 11.02.2019. Co-accused Manish Kumar Dubey @ Minku Dubey @ Minku Tiwary, S/o Sakaldeo Tiwari has been enlarged on bail by a co-ordinate bench of this court vide order dated 16.04.2019 passed in Cr. Appeal (SJ) No. 1022 of 2019.

Learned Spl. PP for the State opposed the prayer for bail.

In the facts and circumstances of the case, the above named appellant is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (SC/ST Court), Gaya in connection with Chandauti (Chakand) P.S. Case No. 212 of 2015.



Accordingly, the impugned order is set aside and
appeal is allowed.

(Prakash Chandra Jaiswal, J)

mantreshwar/-

AFR/NAFR	N.A.F.R.
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