

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1611 of 2019

Arising Out of PS. Case No.-219 Year-2018 Thana- BIRAUL District- Darbhanga

Ayodhi Mukhiya, aged about 36 years, Male, Son of Sri Bekal Mukhiya @ Vekal Mukhia @ Vekal Mukhiya Resident of Village- Mahammadpur Buauri (Mahammadpur Boari), P.S.- Biraul, District- Darbhanga.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Manish Kumar No. 13, Advocate. Mr. Rohit Kumar, Advocate.
For the Respondent/s	:	Mr.Binay Krishna, Spl. APP.

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL JUDGMENT

Date : 24-04-2019

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 28.03.2019 passed by the learned Additional Sessions
Judge-I cum Special Judge, Darbhanga in G.R. No. 196 of 2018
arising out of Biraul P.S. Case No. 219 of 2018 registered under
Sections 342, 323, 379 and 504 of the Indian Penal Code and
Section 3(i)(r) of the Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act.

Appellant happens to be mediator of the agency



namely Sankat Mochan Enterprises, Samastipur which carry out the work of installation of pipe under Nal-Jal Yojna. On protest made by the informant over installation of inferior quality of pipe, appellant slated him in the name of caste and also asked him to draw a cheque of Rs.10 lacs in his favour and on protest slapped him and took out Rs. 5000/- from his pocket.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. Appellant does not happen to be mediator of the aforesaid agency and he has no concern with carrying out the work of said agency. He has not committed the occurrence and has no concern with the aforesaid occurrence. He has been falsely implicated in the case due to dirty village politics. Appellant has no criminal antecedent and has been languishing in custody since 27.03.2019.

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 Additional Sessions Judge-I cum Special Judge,



Darbhangha in connection with G.R. No. 196 of 2018 arising out
of Biraul P.S. Case No. 219 of 2018.

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

(Prakash Chandra Jaiswal, J)

mantreshwar/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
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