

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4224 of 2019

Arising Out of PS. Case No.-580 Year-2018 Thana- SUPAUL District- Supaul

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1. ROHIT MANDAL S/o Late Bauku Mandal Resident of Village- Telwa, Ward No. 12, Panchayat- Telwa, P.S.- and District- Supaul.
 2. Suraj Mandal S/O- Late Bauku Mandal Resident of Village- Telwa, Ward No. 12, Panchayat- Telwa, P.S. and District- Supaul.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Nafisuzzoha

For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 15-10-2019 Heard learned counsel for the appellants and learned Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the SC/ST Act against the refusal of prayer for bail vide order dated 04.09.2019 passed by learned 1st A.D.J. cum Special Judge, SC/ST Act, Supaul in Supaul P.S. Case No. 580 of 2018 registered under Sections 341, 323, 420 and 504/34 of the Indian Penal Code and Sections 3(i)(r) of the SC/ST Act.

On demand of price of milk supplied to Sarwan Mandal by the informant, said Sarwan Mandal slated the informant in the name of his caste and on his exhortation Rohit Mandal obtained his signature on the stamp paper pointing



pistol on his temple while other family members of Sarwan Mandal including the appellants Rohit Mandal and Suraj Mandal assaulted the informant by means of fist, slap and slipper and tore his attire.

It is submitted by learned counsel for the appellants that the appellants have no concern with the aforesaid occurrence. They happen to be brother of Sarwan Mandal and have been falsely implicated in the case over some altercation taken place between Sarwan Mandal and the informant over price of milk. There is no allegation of slating the informant in the name of his caste against the appellants. The allegation of assault levelled against the appellants is not specific rather general and omnibus in nature. Informant has not sustained any injury in the occurrence. Appellants have no criminal antecedent and have been languishing in custody since 14.08.2019.

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

In the facts and circumstances of the case, the above named appellants are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st A.D.J. cum Special Judge, SC/ST Act, Supaul in



connection with Supaul P.S. Case No. 580 of 2018.

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

(Prakash Chandra Jaiswal, J)

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