

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5376 of 2019

Arising Out of PS. Case No.-212 Year-2017 Thana- DHURAIYA District- Banka

Parsadi Mandal Son of Jagdish Mandal Resident of Village - Amahara, P.S.-
Rajaun, Distt.- Banka.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Dhananjay Kumar Pandey, Advocate
For the Respondent/s : Mr. Binay Krishna, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 09-12-2019 Heard learned counsel for the appellant and learned
counsel for the State.

This is an appeal under Section 14(A)(2) of the SC/ST Act against the order dated 25.10.2019 passed by the learned Additional Sessions Judge Ist, SC/ST Act, Banka, in B.P. No. 585 of 2019, arising out of Dhoraiya P.S. Case No. 212 of 2017 registered for the offences under Sections 302 and 201 of the Indian Penal Code and Section 3(2)(v) of Schedule Caste/ Schedule Tribe (Prevention of Atrocities) Act 1989, whereby the prayer of regular bail has been rejected. The appellant is in custody since 22.07.2019.

Learned counsel for the appellant submits that admittedly the man died due to a mishap in the construction of the septic tank and the charge sheet has been submitted under



Section 304 for which learned counsel for the appellant is filing on record a report dated 24.10.2019. Learned counsel for the appellant, thus, submits that the allegation as against Section 3(1)(x) of the SC/ST Act is also not made out. The appellant is languishing in custody since 22.07.2019 and he may be extended the privilege of bail.

Considering the aforementioned facts and circumstances of the case and that the appellant has no criminal antecedent, let the appellant, above named, be released 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, Banka in connection with Dhoraiya P.S. Case No. 212 of 2017.

With the aforesaid, the present appeal stands allowed and consigned to records.

(Anjana Mishra, J)

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