

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5475 of 2019**

Arising Out of PS. Case No.-88 Year-2019 Thana- KUSHESHWARASTHAN District-
Darbhanga

=====

Fuddi Mukhia @ Fuddi Mukhiya Son of Late Sube Mukhia @ Sube Mukhiya
Resident of Village - Ushri Ghat, P.S. - Kusheshwarasthan (Kusheshwar
Asthana), District - Darbhanga.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Manish Kumar No 13

For the Respondent/s : Mr. Sadanand Paswan, Special P.P.

=====

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

2 16-12-2019 Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail by order dated 04.09.2019 passed in SC/ST G.R.No.68 of 2019 arising out of Kusheshwarasthan P.S.Case No.88 of 2019 by the learned Ist Additional Sessions Judge-cum-Special Judge, Darbhanga under Sections 147, 148, 149, 341, 323, 447, 379, 504 and 436 of the Indian Penal Code and Sections 3(i)(r)(s) of SC/ST Act.

Submission is that general and omnibus allegation is there against the appellant whereas some other accused against whom specific allegation was there, have already been allowed



regular bail. Appellant is in custody since 30.08.2019.

Considering the aforesaid facts, let the appellant who is in jail custody since 30.08.2019 be released on bail on furnishing bail bond of Rs.20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Court-below where the case is pending in connection with the aforesaid case, with condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the appellant shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

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

(Birendra Kumar, J)

B.Kr./-

U		T	
---	--	---	--

