

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1317 of 2020

Arising Out of PS. Case No.-384 Year-2019 Thana- NATHNAGAR District- Bhagalpur

RAJO MANDAL @ RAJESH KUMAR, Son of Kripali Mandal @ Kripanand
Mandal, Resident of Village - Purani Sarai, P.S.- Nathnagar, Distt.- Bhagalpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rajive Ranjan Singh
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 10-07-2020 Heard learned counsel for the appellant and learned
Special P.P. for the State through virtual court proceeding.

Learned counsel for the appellant undertakes to remove the defects as pointed out by the office within two weeks of normal functioning of the court, failing which the office is directed to place the matter before the Bench.

This is an appeal under Sections 14 (A) (2) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities Act, 1989 against the refusal of prayer for bail vide order dated 26.02.2020 by the learned IIIrd Additional District and Sessions Judge cum Special Judge (S.C./S.T. Act), Bhagalpur, in connection Nathnagar P.S. Case No. 384 of 2019, G.R. No. 127/2019 arising out of Nathnagar P.S. Case No. 384 of 2019 registered under Sections 341, 354B, 504, 506 of the Indian



Penal Code and Sections 3 (S)W (i) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1985.

Prosecution case in brief is that on 07.08.2019, one Meena Devi made a written report to the police against the appellant to the effect that on relevant date at evening while she was making food she was misbehaved by the appellant. She further alleges that the appellant also abused her and called her by caste name.

Learned counsel for the appellant submits that both parties are neighbours and there is long standing dispute of Rasta between the parties. The informant used to prepare food in the Gali itself which is evident from the FIR also and the appellant has his Rasta through the Gali. And due to this reason this false case has been got instituted. There is no independent witnesses have supported the prosecution case. The appellant is in custody since 20.02.2020.

Learned Special P.P. for the State opposes the prayer for bail.

Considering the aforesaid facts, let the appellant, above named is directed to be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned



IIIrd Additional District and Sessions Judge cum Special Judge
SC/ST Act, Bhagalpur, District-Bhagalpur in connection with
Nathnagar P.S. Case No. 384/2019, G.R. No. 127/2019 arising
out of Nathnagar P.S. Case No. 384/2019.

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

(Anjani Kumar Sharan, J)

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