

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4270 of 2019**

Arising Out of PS. Case No.-54 Year-2013 Thana- NOWKOTHI GARHPURA District-
Begusarai

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MUKESH MAHTON @ MUKESH @ MAKENDAR MAHTON @
MOKINDRA MAHTO @ SURENDRA MAHTO @ CHANDRADEO
MAHTON @ PAGAL MAHTO Son of Pago Mahton @ Pagal Mahton
Resident of Village - Ratan Malpura, P.S.- Bakhari, Distt - Begusarai.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Nakul Kumar Jamuar, Advocate
For the Respondent/s : Mr.Sadanand Paswan, SPP

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

3 03-02-2020 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 vide order dated 27.08.2019 passed by the learned Special Judge (S.C./S.T. Act), Begusarai, in connection with Nawkothe Police Station Case No.54 of 2013 registered under Sections 341/323/448/307/504/34 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Submission is that only allegation against the appellant is that he was catching hold of the injured when others



assaulted him. He is in custody since 22.08.2019. Investigation of the case is already complete.

Considering the aforesaid facts, let the appellant, above named, 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 the learned Court-below where the case is pending in connection with the aforesaid case, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) 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.

(c) The appellant shall not leave the country without permission of the trial Court.

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

(Birendra Kumar, J)

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