

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4813 of 2019

Arising Out of PS. Case No.-363 Year-2019 Thana- MASAUDHI District- Patna

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DINESH MANJHI, Son of Late Birju Manjhi, Resident of Village - Rewania,
P.S. - Bhagwanganj, Distt. - Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Sheo Nandan Pandit, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 14-02-2020

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 anticipatory bail vide order dated 11.09.2019 in A.B.P No. 5182 of 2019 passed by the learned 20th Additional Sessions Judge-cum-Spl. Judge, SC/ST Act, Patna in connection with Masaurhi P.S. Case No. 363 of 2019 (Spl. Case No. 215 of 2019) registered under Sections 448, 341, 342, 302, 201/34 of the Indian Penal Code, Sections 3(1)(r)(v) of the SC/ST Act, Sections 3 and 4 of the Prevention of Witch (daain) Practices Act, 2001.

The main allegation of abduction of the father of the informant is against co-accused Munna Yadav. Informant is eyewitness of the occurrence. Appellant is also a member of the scheduled caste. There is no direct allegation against the appellant.



Hence, let the appellant, above named, in the event of his arrest or surrender before the learned Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees 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, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:-

(a) The appellant shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the appellant.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

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

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

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
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