

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5471 of 2019

Arising Out of PS. Case No.-166 Year-2019 Thana- KHODAWANDPUR District- Begusarai

SURENDRA MAHTON Son of Ramashish Mahton Resident of Village -
Bariyarpur (West), Ward No. 13, P.S.- Khodawandpur, Distt - Begusarai.

... .. Appellant/s

Versus

THE STATE OF BIHAR Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Shree Niwas Singh
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 05-02-2020 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 16.11.2019 passed by the learned Special Judge (SC/ST Act), Begusarai in Khodawandpur P.S. Case No. 166 of 2019 registered under Section 366A of the Indian Penal Code and Sections 3(x)(xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Specific allegation of kidnapping of the daughter of the informant is only against co-accused Dipak Kumar. In the subsequent occurrence, the appellant and others abused and assaulted to the informant.

Considering the fact that there is no direct allegation



against the appellant of kidnapping of the victim girl, let the appellant, above named, be released on bail, on furnishing bail bonds of Rs. 20,000/- (Twenty thousand) each 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 the appeal is allowed.

(Birendra Kumar, J)

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