

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5525 of 2019

Arising Out of PS. Case No.-415 Year-2019 Thana- BAHADURPUR District- Darbhanga

JITENDRA KUMAR MAHTO @ JITENDAR KUMAR MAHTO Son of
Satya Narayan Mahto Resident of Village-Bajitpur Chhipalia, P.S.-
Bahadurpur, District-Darbhangha.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Anju Jha, Advocate.

For the Respondent/s : Mr.Binay Krishna, Spl. PP.

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 23.10.2019 passed by the learned 1st Addl. Sessions Judge cum Special Judge, Darbhanga in SC/ST G.R. No. 157 of 2019 in connection with Bahadurpur P.S. Case No. 415 of 2019 registered under Sections 341, 323, 307, 504 and 506/34 of the Indian Penal Code and Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellant is that he was also along with co-accused Mukesh Kumar Yadav who fired



however no injury was caused to anyone. No overt act is alleged against the appellant. Investigation of the case is already complete. Appellant is in custody since 28.08.2019.

Considering the aforesaid facts, 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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