

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2933 of 2021**

Arising Out of PS. Case No.-49 Year-2020 Thana- CHERIYA BARIYARPUR District-
Begusarai

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Chunnu Mahto @ Ramnath Mahto Son of - Tiro Mahto Resident of - Ward
No. 01, Maheshwara Naulakha, Maheshwara, Menjhaul, P.S.- Cheriya
Bariyarpur, District- Begusarai.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Pritish Kumar Lal, Advocate
For the Respondent/s : Mrs. Usha Kumari 1, SPP

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

3 26-10-2021 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 29.06.2021 passed by the learned Special Judge
(S.C./S.T. Act), Begusarai, in connection with Cheriya
Bariyarpur Police Station Case No.49 of 2020, registered under
Sections 341/323/504/506/385/386/307/34 of the Indian Penal
Code, Section 27 of the Arms Act and Section 3(2)(va) of the
Scheduled Castes and Scheduled Tribes (Prevention of



Atrocities) Act, 1989.

Appellant allegedly caused fire-arm injury at the neck of the informant for non-fulfillment of demand of ransom made by co-accused Nakuli Mahto. The doctor has found fire-arm injury on the person of the informant.

Submission is that appellant is in custody since 14.06.2021. Appellant is ready to cooperate with the trial. Investigation of the case is already complete.

Considering the submission aforesaid, let the appellant, above named, be released on bail **after framing of the charges so that trial may not hamper** 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 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)

Mkr./-

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