

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3554 of 2021**

Arising Out of PS. Case No.-124 Year-2021 Thana- SUPAUL District- Supaul

Deven Mandal S/O Somi Mandal R/O Village-Veena, P.S-Supaul, District-Supaul.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Pankaj Kumar Sinha
For the State	:	Ms.Usha Kumari 1
For the Informant	:	Mr. Nafisuzzoha

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 30-11-2021 Heard learned counsel for the appellant, informant and learned Special Public Prosecutor for the State.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer of bail vide order dated 30.06.2021 passed by learned Additional Sessions Judge, 1st cum-Special Judge, Supaul in connection with Supaul P.S. Case No. 124 of 2021 registered under Sections 147, 148, 149, 341, 323, 324, 307, 354(b), 302 of the Indian Penal Code and Section 3 (i) (r)(s)(e)(w)(i)(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the appellant is that he along with other accused persons named in the FIR came at the place of



occurrence armed with arms and abused with filthy language denoting caste name. It is further alleged that upon saying by appellant to kill the Mushhar, Fulo Mandal and grandson of Somi Mandal started assaulting the husband of the informant with sharp weapon as a result of which the husband of the informant died in hospital.

It is submitted by learned counsel for the appellant that appellant is innocent and has been falsely implicated in this case. He submits that there is general and omnibus allegation levelled against the appellant. He further submits that appellant bears no criminal antecedent as stated in para-3 of this petition and he is languishing in judicial custody since 16.02.2021.

Learned Spl. PP for the State and informant oppose the prayer for bail and submit that there is specific allegation against the appellant.

Considering the facts and circumstances of the case and the fact that there is no specific overt act against the appellant, the above named appellant, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, 1st cum-Special Judge, SC/ST, Supaul in connection with Supaul P.S.



Case No. 124 of 2021.

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

(Anjani Kumar Sharan, J)

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