

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4243 of 2021

Arising Out of PS. Case No.-12 Year-2021 Thana- KATIHAR MUFFASIL District- Katihar

Ranjeet Mandal, S/O Brahmdeo Mandal, R/O Haflaganj, P.S-Muffasil,
District-Katihar.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjeev Kumar Singh, Advocate
For the Respondent/s : Mr.Usha Kumari 1, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 29-10-2021 Heard learned counsel for the appellant and the
learned Special P.P. for the State.

The appellant has preferred the present appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act against the refusal of his prayer for regular bail, vide order dated 10.08.2021 passed by the learned Additional Sessions Judge 1st-cum-Special Judge, Katihar, in connection with Muffasil P.S. Case No.12 of 2021 instituted for the offence under Sections 147, 148, 149, 186, 353, 332, 427, 307, 325, 504 of the I.P.C. and Section 3(1)(r)(s) of the SC/ST (Prevention of Atrocities) Act and also for setting aside the aforesaid order dated 10.08.2021.

16-17 named accused persons have allegedly attacked the police party and indulged in vandalism when they have gone



to ensure removal of encroachment.

It is submitted by the counsel for the appellant that the appellant has no criminal antecedents. Identification in the mob is itself unbelievable. Appellant's implication is based on the basis of confessional statement of co-accused. There is no independent witness to support the occurrence and the appellant is in custody since 15.01.2021.

Learned Special P.P. has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow appellant's prayer for bail.

Accordingly, let the appellant, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court of A.D.J.-1st-cum-Special Judge, Katihar, in connection with Muffasil P.S. Case No.12 of 2021, subject to the following conditions:

- (i) That one of the bailors will be a close relative of the appellant who will give an affidavit giving genealogy as to how he is related with the appellant. The bailor will also undertake to inform the court if there is any change in the address of the appellant.
- (ii) That the appellant will be well represented on each date and if he fail to do so on two



consecutive dates, his bail bond will be liable to
be cancelled.

In the result, the appeal is allowed and the impugned
order dated 10.08.2021 is set aside.

This Court would expect that the appellant's counsel
would honour his undertaking in the instant proceedings
regarding supply of the requisite court fee etc. within two weeks
from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

PNM

U		T	
---	--	---	--

